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Translated by WILLIAM J. YOUNG, S. J.

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THE NEED FOR PRUDENCE[1]

No Catholic has any doubt about the possibility or the actual existence of miracles.

Christ's mission and His divine nature were demonstrated by the many great miracles He performed here on earth. After that, the infant Church overcame the first difficulties it encountered and the persecutions by its enemies because it was sustained by a special assistance given to it by the Holy Ghost, an assistance rendered almost tangible by the charisms which the Apostles and many chosen souls of the first Christian generations possessed.

Since the Church has become firmly established, however, the charismatic gifts, as is quite understandable, have been lessened but have not entirely disappeared.

The assistance of the Holy Ghost and the presence of Christ in His Church will continue until the end of time, and this assistance will continue to manifest itself by signs of the supernatural, by miracles.

There have been many such miracles in the life of the Church, but, for our purpose, it will suffice to indicate the miracles that are examined when a Servant of God is in the process of being beatified, or when a person who is already beatified is in the process of being canonized as a Saint. Such miracles are always rigorously certified from the points of view of both science and theology. All can see, likewise, the scrupulous exactitude with which the miraculous cures that occur at Lourdes are examined.

Let no one accuse us of being enemies of the supernatural if we now take up the task of warning the faithful against irresponsible claims in favor of alleged supernatural events which are springing up almost everywhere in our times, and which threaten to cast discredit upon real miracles.

Actually Our Lord Himself long ago issued a warning against the "false Christs and false prophets" who were to "shew great signs and wonders, insomuch as to deceive (if possible) even the elect."[2] Things of this kind occurred even in the earliest times of the Church.[3] Hence the Church's Magisterium has a right and a duty to issue a judgment about the genuineness and the nature of the facts or revelations which claim to have come about through a special divine intervention. And it is the duty of every loyal son of the Church to submit to such a judgment.

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[1] This article, originally entitled "Siate, cristiani, a muovervi più gravi," was originally published in *L'Osservatore Romano*, XCI, 28 (Feb. 4, 1951), 1 f. Most of the Catholic press in the United States printed the news story about this article distributed by the NCWC News Service and written by Fr. Joseph J. Sullivan. In view of the importance of the material, we asked and obtained from Msgr. Ottaviani permission to print a complete translation of the article.

The Church, like every other mother, has duties that are very burdensome and disagreeable. And, as is the case with other mothers, duty sometimes obliges the Church to take action, and other times to put up with things, to keep silent, or to wait. Who would have imagined fifty years ago that the Church today would have to warn its children and even some of its priests against alleged visions, against pretended miracles, in short, against all these supposedly preternatural events which attract and excite crowds in different continents and countries, in fact, almost everywhere?

In those days, with so much scientism and positivism in the air, a man who paid attention to these things that they called superstitions from the dark ages or took them seriously would only have drawn ridicule upon himself. Then men hated the Church because it alone persisted in defending the existence of such things and in acknowledging that they had either a negative or a positive spiritual value, that they were either beautiful or ugly. Then one of the most frequently employed and most solemn theses of apologetics was the one dealing with miracles.

Now, on the other hand, the Church is obliged, through its Bishops, and by a repetition of the Divine Teacher's own words,[4] to warn its children not to let themselves easily be led astray by occurrences of this sort, not to put any blind trust in them, and not to believe them at all until the most authoritative investigations have been made and the outcome of these phenomena has been ascertained.

For years now we have been watching a worsening of the popular passion for the marvelous, even in the field of religion.

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[2] *Matt.* 24:24.

[3] Cf. *Acts,* 8:9.

[4] Cf. *Matt.* 24:24.

Throngs of the faithful rush to places where visions are supposed to have been seen or where prodigies are supposed to have been performed. At the same time they neglect the Church, the sacraments, and the religious instruction intended for them.

People who are ignorant of the first words of the Creed set themselves up as apostles of a kind of ardent pietism. Some of them do not hesitate to reproach the Pope, the bishops, and the clergy openly, and they are angry because these men do not come in throngs to take part in all the enthusiasms and the rages of certain popular movements.

The situation, though unpleasant, is patient of explanation.

In man the religious sentiment is a natural sentiment. Just as man is a rational animal; just as he is a political animal, so he is also a religious animal. In bringing disorder and confusion into man's nature and into all his sentiments, original sin has also, as it were, attacked the religious sentiment. Thus we can explain the deviations and the errors of so many natural religions in exactly the same way that we explain so many other perversions in the history of mankind. Errors of this sort, however, cause more trouble when they appear in the field of religion.

Nevertheless revelation and grace came to redeem man from darkness and from his weakness. Moreover, and especially in the field of religion, they have restored man to the rectitude of his own nature. Having healed the nature that had been wounded and sickened, this grace also gave to the nature itself strength that is superabundant for the service and the love of God, a strong light and a burning flame.

And, from the word and from the blood of Jesus, there was born the Church, the guardian and the interpreter of the true religion.

We must not imagine that everything that is in any way religious is necessarily a good thing merely by reason of the fact that it is religious. There can be, and there actually are, deviations of the religious sentiment just as truly as there are deviations of other kinds of human activity. Religious sentiment should be guided by reason, nourished by grace, and governed by the Church just as truly as the rest of our activity. This guidance and direction are even more necessary in the field of religion than in the other fields of human conduct. There is a religious instruction, a religious education, a religious formation.

Those who have fought so thoughtlessly against the authority of the Church and against religious sentiment find themselves faced today with an impressive manifestation of instinctive religious sentiment, devoid of any light of reasonableness, without any consciousness of grace, something unchecked and ungoverned. At any rate these manifestations have resulted in deplorable acts of disobedience towards the ecclesiastical authority when that authority stepped in to exercise needed direction. There were occurrences of this sort in Italy after the alleged visions of Voltago, in France after what happened at Espis and at Bouxières, and with the Hamsur-sambre groups in Belgium, in Germany with the visions of Heroldsbach and in the United States with the manifestations at Necedah, in the diocese of La Crosse. It would be possible to go on citing other examples in countries both near and far away.

The period through which we are now passing is marked by two excesses, that of open and ruthless irreligion and that of unchecked and blind pietism. Persecuted on the one hand, and embarrassed on the other, the Church can only continue to repeat its maternal warning, but its words remain unheeded by both the opponents of religion and the visionaries.

Certainly the Church does not wish to turn people's attention away from the real wonders God has performed. It only wishes to arouse the faithful to distinguish between what really comes from God and what does not come from Him, and which may be false miracles that come from His enemy and ours.

A good Christian knows, and knows from his catechism, that the true religion is contained in the true faith, in that revelation which was closed with the death of the last apostle and which was confided to the Church that teaches and guards it.

Nothing else necessary for our salvation can be revealed. We need not wait for anything. We have everything, if we want to make use of it. So it is that the most completely attested visions can furnish new motives of fervor, but not new elements of life and teaching. Apart from what belongs to the realm of understanding, the true religion consists essentially in the love of God and in the love of our neighbor that follows from this love of God. Even prior to acts of worship and of ritual, the love of God consists in the accomplishment of God's will and thus in obedience to His precepts. The true religion consists in this.

A good Christian knows that, in the Saints themselves, holiness does not consist essentially in the preternatural gifts of visions, prophecies, and wonders, but in the heroic practice of virtue. It is one thing to say that God, in a certain way, employs a miracle to attest the presence of holiness. It is quite another thing to imagine that holiness is confined to the realm of the miracle. We must not confuse holiness itself with what can be or what is regularly an unmistakeable indication of holiness, but which is not always so clear as not to demand the necessary control of Religious Authority.

The Church's teaching has never been ambiguous on this subject. Those who have recourse to events of doubtful meaning rather than to the word of God love the world rather than God. So it is that, when the Authority of the Church canonizes a Saint, it does not by that fact guarantee the preternatural character of all the extraordinary events that have marked his life, nor does it, *a fortiori*, give its approval to all of the Saints' personal opinions. Still less does it guarantee all that has been said, sometimes with unpardonable lack of seriousness, by biographers endowed with more fancy than judgment.

In order to be religious, we insist, a man must do the work of religion well and according to his duty. All the attention that we can give to the most serious factors of our lives must be devoted to the task of being Christians and of being devout Christians. The acceptance, as God's teaching, of what He has not revealed is as bad for a good Catholic as a failure to accept what God has really communicated. All of us cannot form our own direct opinions on every point. If we could, what would the Bishops and the Pope have to do?

Strangely enough, no one would dare to build a house, to make a suit of clothes or a pair of shoes, or to cure a sickness entirely by himself. But, when people deal with the field of religion, they reject all authority and deny all confidence in superiors. Rather they calmly show mistrust and disobedience in this particular field alone.

During the past two hundred years, and in an especially violent way during the past fifty years, the Catholic priesthood has been accused, insulted, and calumniated in politics and in literature in such a way that the faithful have come to be associated with the priest and united with him only at the cost of great effort. In the manifest return towards God that we are witnessing today, the faithful ought to overcome every obstacle and come to live again in unity of sentiment, of thought, and of faith, with the priest.

But on this point, during the past ten years, while the Religious Authority showed itself hesitant, the people would brook no delay. They have rushed in throngs to marvels which, at best, were subject to no control.

Frankly we must say that phenomena of this type may belong to the realm of natural religion. They are not, consequently, properly Christian. Nevertheless they offer a fearfully powerful pretext to those who strive to see, in Christianity and especially in Catholicism, infiltrations and vestiges of superstition and paganism. Now just as sin can insinuate itself into our moral life, so error can insinuate itself into the lives of individual Catholics. Those who understand the nature of man see nothing startling about this possibility. But, just as sin must be recognized as sin, if we are to free ourselves of it, so it is in the case of error. And, just as the Church has the power to forgive sin, so it has the divine commission to dissipate error.

Let Catholics listen to the word of God, which the Church, and the Church alone, preserves and teaches entire and incorrupt. Let them not run, like sheep that have no shepherd, where other voices resound and try to drown out the voice of God when they are raised in opposition to the voice of the Church. We have the Sacred Scriptures. We have Tradition. We have the Supreme Pastor, and certainly a greater number of priests near us. Why then, in the face of those who fight against us and hate us, must we give an exhibition of stupidity or fanaticism? "Christians, be harder to move," wrote Dante in his own time, "don't be like feathers that move with every breeze." He gave the very reasons that are valid today. "You have the Old Testament and the New, and the Pastor of the Church to guide you." And he concluded as we conclude, "This is enough for your salvation."[5]

MSGR. ALFREDO OTTAVIANI

Assessor,
The Supreme Sacred Congregation of the Holy Office.

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[5] *The Divine Comedy, Par.*, V. 73-77.

THE PROBLEM OF "THE RELIGION OF THE STATE"*

In a recent issue of this *Review*, courteous objection was raised against my suggestion that the legal establishment of Catholicism as the religion of the state need not be considered a permanent and unalterable exigence of Catholic principles governing Church-State relations.[1] Since this suggestion was a detail in a more comprehensive view of the whole problem, it may be well first to state in outline this larger view. I do this simply in order to keep the present argument from getting stalled in some dialectical *cul-de-sac.*

Some study of the history of the problem and of all the pertinent magisterial documents has led me to regard as tenable the theory stated in the following propositions.

(1) The permanent purpose of the Church in her relations with the state is to maintain her doctrine of juridical and social dualism, under the primacy of the spiritual, against the tendency to juridical and social monism, under the primacy of the political, which is inherent in the state, to a greater or less degree, whether the state be pagan, Christian, or secularized in the modern manner.[2] Moreover, the traditional effort has been not only to main-

* *Editor's note:* In its Sept. 1950 issue, *The American Ecclesiastical Review* carried an article in which Fr. George W. Shea stated and explained his unwillingness to accept certain theses on Church and state contained in the writings of Fr. John Courtney Murray, S.J. Thus, since Fr. Murray's teachings on the subject have not been published previously in the *Review*, the editor considers it only fair to allot him space to present his own views and reasons on the pages of this magazine. The Editor likewise believes that it is only fair to add that he does not share Fr. Murray's views on the subject of this article.

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[1] Cf. George W. Shea, "Catholic Doctrine and 'The Religion of the State,'" *AER*, CXXIII, 3 (Sept. 1950), 161-74.

[2] The first classic statement of the Church's fundamental thesis was in the chapter *Duo sunt* of Gelasius I in 494; cf. LoGrasso, *Ecclesia et status, fontes selecti* (Rome, 1939), p. 45, n. 96. The text explicitly states the doctrine of the two powers; implicitly, the doctrine of the two laws. Implicit too is the doctrine of the two societies, in the phrase, "mundus hic regitur"; at the time the Roman Empire was still a distinct social magnitude.

tain this doctrine as a doctrine but also to give it such institutional embodiment within every particular historical context as will make it operative within that context.

(2) More concretely, the Church asserts three principles as permanently controlling in her relations with the state. These principles are of themselves transtemporal, being rooted in the nature of things; they are therefore necessarily exigent in all temporal situations. The first is rooted in the nature of the Church; the second, in the nature of man as presently situated in a supernatural order; the third, in the nature of civil society as a naturally necessary sphere of human life and development toward the perfection of human personality.

(a) The first principle is that of the freedom of the Church.[3] The formula has two senses. There is the freedom of the Church understood as the spiritual power—her freedom to teach, rule, and sanctify, with all that these powers imply as necessary for their free exercise. And there is the freedom of Church understood as the Christian people—their freedom to hearken to the doctrine of the Church, obey her laws, receive at her hands the sacramental ministry of grace, and live within her universal fold their integral supernatural life.

In the Middle Ages it became customary to substitute for the term, "hic mundus," the term, "Ecclesia," as the two societies of earlier times gave way to the one society, "the Church," within which the two powers were enclosed, distinct only as functions of the one *corpus christianum.* So, first, the Synod of Paris in 829 LoGrasso, n. 184); Hincmar of Rheims (+ 882; *ibid.,* n. 219); Hugh of St. Victor, the first theorist of the so-called direct power (+ 1141; *ibid.,* nn. 325 ff.); St. Bernard (+ 1153; *ibid.,* n. 329, the famous "two-swords" text); Innocent III (+ 1216; *ibid.,* n. 385, the famous "two-luminaries" text); Boniface VIII (+ 1303; *ibid.,* n. 433). After Boniface VIII the doctrine that "Ecclesia continet imperium" and that a direct power in the temporal is included in the papal *plenitudo potestatis* lived on in the canonists, until Bellarmine disposed of it, at least in principle; cf., with caution, Ullmann, *Medieval Papalism* (London, 1949), ch. IV.

[3] I have counted 81 occurrences of the phrase, "libertas Ecclesiae," or its equivalent, in some 60 or more documents of Leo XIII. It is his key concept, as it is the traditional one. For instance, in St. Peter Damian's description of the imperial coronation as done in the eleventh century (there are those who set great store on argument from ancient coronation oaths), the first step was that the emperor "manu propria iurat libertatem Ecclesiarum" (LoGrasso, n. 245). Leo XIII was holding to the focus of the Church's effort, traditional since the day when St. Ambrose with-

This principle is rooted in the nature of the Church as a spiritual power and a supernatural society independent of the state in origin, end, and function, the unique means and *milieu* of man's eternal salvation, which as such claims the primacy over the order of man's terrestrial life and all its social forms. Therefore the principle of the freedom of the Church asserts the principle of the primacy of the spiritual.[4]

(b) The second principle is that of the necessary harmony between the two laws whereby the life of man is governed,[5] and between the whole complex of social institutions and the exi-

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stood Auxentius, when he wrote in 1887 to the Archbishop of Cologne, "Right from the beginning of our pontificate . . . we formed the resolve to make every effort to restore by all possible means peaceful tranquillity together with a just freedom for what is Catholic *(nomini catholico)"* (*ASS*, XIX, 465). In 1892, writing to the French Cardinals he speaks of the "principe fondamental de la liberté de l'Eglise" (*ibid.*, XXIV, 646; the Latin text has "principio ex praecipuis, quod est Ecclesiae libertas"). The centrality of this principle needs some emphasis, now that the impression has somehow been created that the central principle of the Church is the right of "Catholic" governments to repress Protestant sects. It is perhaps significant that this peripheral point of predominantly historical interest should have become the focus of debate in the United States. For centuries the central issue in the Church's struggle with the state has been the freedom of the Church in the face of the monistic tendencies of the state. The Church in the United States, even in the absence of public legal status, enjoys a freedom that she never had under their Most Catholic or Most Christian Majesties; some study of Mercati's *Raccolta di Concordati* would establish the point. It seems therefore that we can afford to indulge in the luxury of a debate on peripheral issues. One unfortunate result has been that in the popular mind the Church, which is the home of freedom and the last bulwark of the rights of man, has become identified, not with freedom but with governmental coercion.

[4] This primacy does not imply that the temporal power is somehow instrumental to the proper ends of the spiritual power or the Christian people; nor does it have *per se* connotations of an ecclesiastical jurisdiction *over* the temporal. Primacy *per se* asserts superior dignity; it also asserts influence, whose manner of exercise will be in accord with the kind of dignity and superiority asserted. This is principle; beyond this one is in the realm of applications of principle, institutionalized forms of influence.

[5] The word "concordia" occurs so often in Leo XIII that I gave up counting; it is his favorite word, the watchword of his pontificate. The word also occurs in some of the earliest Concordats; in fact, a Concordat simply tries to give juridical form to something more essential than itself, an existent vital *concordia* (often enough, unfortunately, not existent).

gences of the Christian conscience. This harmony establishes a unity of order in human social life, based on the distinction of orders (ecclesiastical and civil) in which man must live, and on a recognition of the primacy of the spiritual order and the law which governs it.

This principle derives from the nature of man as called in the present dispensation to be at once citizen and Christian and one human person. Hence he has a right to demand that a unity of order should prevail in society, in order to protect the integrity of his personality, his spiritual freedom, and his full possibilities of self-fulfilment.

(c) The third principle is that of the necessary co-operation of the two powers and societies—a co-operation that is ordered and bilateral. The Church *suo modo* is to co-operate with the state, and the state *suo modo* is to co-operate with the Church. Each acts towards its own distinct end, which is ultimate in its own order; but since these two ends, temporal and spiritual, are ordered ends of man, the operations of Church and state must be ordered into a co-operation, to the end that the ordered good of man may be achieved.

This principle springs from the nature of civil society as an expression of the social nature of man and a sphere of human perfection.[6] For the run of men the Christian life of faith and grace is morally impossible apart from those conditions of freedom, justice, order, social charity, and a sufficiency of material goods and cultural opportunities, to whose creation society and in its own sphere the state are by nature committed. On the other hand, the creation of these conditions of social order is impossible without religion and the Church. Hence the ordered bilateral co-operation of both state and Church is necessary towards an end which is under different aspects common to both. And this co-operation must be ordered. It is not the direct function of the Church to create a social order, any more than it is the direct function of the state to save souls. The contribution of each to the work of the other is indirect but indispensable; the Church creates a Christian spirit within the temporal order, and the state aids in creating a temporal structure that may be a proper *milieu* of the Christian spirit.

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[6] Here is the place to define four terms which, if left undefined, lead to much muddled argument.

(a) *Civil society*. This is "the great society," whose scope is as broad as civilization itself, of which civil society is at once the product and the vehicle. The term designates the total complex of organized human relationships on the temporal plane, which arise either by necessity of nature or by free choice of will, in view of the co-operative achievement of partial human goods by particular associations or institutions. The internal structure of civil society is based on the principle of social pluralism, which asserts that there is a variety of distinct individual and social ends, either given in human nature or left to human freedom, which are to be achieved by co-operative association. Each of these ends is the root of a responsibility, therefore of an original right and function. Hence there arises the principle of the subsidiary function as the first structural principle of society. But the whole society also has the function of preserving and developing itself as a whole. There is a good-of-the-whole, a common good, *the* social good, pluralist in structure but still somehow one, and therefore of a higher order

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than the partial goods of which it is, not the sum, but the unity. It is a good of the political order as such. Hence civil society connotes political society.

(b) *Political society.* This term designates civil society as politically organized, i.e., organized for the common good, constituted a *corpus politicum* by effective ordination toward the political good, the good of the body as such. (Political society and body politic are synonymous; with them belongs too the concept of "the people," with the difference, as I shall later say, that this concept lays more stress on the historical dimension.) The body politic therefore connotes a state.

(c) *State.* The state is not the body politic but that particular subsidiary functional organization of the body politic, whose special function regards the good of the whole. The state is not the person of the ruler; in fact, it is not personal at all. It belongs in the order of action rather than in the order of substance. It is a set of institutions combined into a complex agency of social control and public service. It is a rational force employed by the body politic in the service of itself as a body. It is "the power," ordained of God, the author of nature, but deriving from the people. Its functions are not coexistensive with the functions of society; they are limited by the fact that it is only one, although the highest, subsidiary function of society. These limitations will vary according to the judgment, will, and capacities of the people, in whom reside primary responsibilities and original rights regarding the organization of their private, domestic, and civil (including economic) life. In accordance with the primary principle of the subsidiary function, the axiom obtains: "As much state as necessary, as much freedom as possible." The state therefore includes the notion of government.

(d) *Government.* Government is not the state, any more than government is the law (the state is in a privileged sense an order of law; law itself, and the institutions which contribute to make, enforce, and interpret it,

(3) These three principles,[7] in order that they may be summoned from the sphere of abstraction and made effectively regulative of Church-State relationships in the actual world of human life, require concrete application. Practical questions rise: how is the freedom of the Church to be guaranteed? How is the distinction of orders to be successfully maintained and the primacy of the spiritual effectively asserted? By what manner of action is the harmony of laws and institutions to be achieved? What forms of co-operation are concretely practicable, prudent, necessary, good? In the course of answering these questions, which are directly related to the order of prudence rather than to the order of truth as such, the principles receive embodiment in law or custom or modes of organized action—in a word, in institutions.

But by their embodiment in institutions the principles, without ceasing to be transtemporal as principles, become temporal as applications of principle. Their institutionalization takes place on

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are primary among the institutions of the state). Moreover, the ruler or rulers are not the government. Government is the ruler-in-relation-to-the-ruled; it is likewise the ruled-in-relation-to-the-ruler. Government gives concrete embodiment to the political relationship implied in the concept of the state. In a general sense, government, like the state is a natural necessity; but its forms, and the actual content and implications of the political relationship are contingent upon reason and the practical judgments it makes in circumstances. As the notion of the state emphasizes the dynamic structure of the political, legal, and administrative institutions whereby society is directed to the common good, so government emphasizes the dynamic action of "the power" on "the people" and "the people" on "the power."

These, I submit, are the categories of reality and thought in which, for the sake of intelligibility, one must recast such resounding generalities as, "The state is a creature of God," or "The state must worship God," etc. Obviously, Leo XIII did not always heed these categories; for the purposes of his argument against Continental Liberalism it was not necessary for him to observe the niceties of political vocabulary.

[7] It need hardly be mentioned that these three principles are not adequately distinct; they interlock, and mutually complete one another. For instance, the freedom of the Church as the Christian people implies a right to such political and social institutions as will further the establishment of harmony between social fact and Christian law; the promotion and protection of such institutions by the state is a form of its co-operation with the Church (the Christian people); the Christian use of these institutions is a form of co-operation on the part of the Church with the state.

earth at a particular time; it invests them with an historical character. And the structure of the institutionalization inevitably reveals the influence of historical circumstances. In the course of their application the principles must undergo a vital adaptation to the realities given at the moment. Only this vital adaptation gives the principles teeth, so to speak, with which to bite into the human stuff of history.

(4) What necessitates changing applications of principle and this vital process of adaptation is the changing character of "the state." The principles of the Church in the matter of her relation to the state do not change; but the reality to which she must relate herself is a variable, not only in its institutional forms and processes but also in the idea that men make of it. There are indeed absolute principles of politics, universal in their application; but their application is relative to complex historical factors, and even the theoretical statement of them is subject to revision in the light of enlarged political experience. For instance, the idea of the political relationship ("governors—governed") is permanently valid as an idea, a necessity of nature and reason. But its institutionalization, and the concept held of it, shows enormous variations, as realized in the ancient patrimonial or patriarchal state, in a feudal regime, in the city-state of the late Middle Ages, in the classical French monarchy, in a modern dictatorship, in a republic on the Revolutionary model, in a democracy in the Anglo-Saxon tradition. The forms of political life are never permanently fixed, and the formulas of political philosophy are never perfectly finished.

What therefore the Church must seek, and has sought, in every age is such a vital adaptation of her principles, such an institutional embodiment of them, as will make them operative in particular temporal contexts towards the permanent ends, human and supernatural, which she has always in view. The history of Church-State relations is the history of this manner of adaptive application. It records many compromises, but no ideal realizations.

(5) The legal institution known as the state-church, and the later embodiment in the written constitutional law of territorial states of the concept of Catholicism as "the religion of the state," represent an application of Catholic principles (and of the medieval tradition, itself an adaptation) to the complex political, social,

religious, and cultural conditions prevailing in the modern state, as it appeared on the dissolution of medieval Christendom, took form in the era of political absolutism, flourished in the era of "confessional absolutism" (to use Eder's phrase)[8] under the royal governments in the "Catholic nations" of post-Reformation Europe, and sought reinstatement in the monarchic restorations of the nineteenth century. As a necessary adaptation of principle this legal institution was at first tolerated by the Church; later, in the circumstances of fixed religious divisions, it became the object of more positive acquiescence; still later, in the circumstances created by the French Revolution, it was defended against the laicizing monism of Continental Liberalism, which destroyed the institution of the state-church in consequence of its denial of the Catholic thesis of juridical and social dualism, under the primacy of the spiritual, of which the institution was, however defectively, an expression. In the course of this defense the application of the thesis became identified with the thesis itself—an identification, however, that was never canonized by the Church.

(6) Since the institution of the state-church was an adaptation to a particular historical context, it does not represent a permanent and unalterable exigence of Catholic principles, to be realized in any and all historical situations in which there is verified the general hypothesis of a "Catholic population." This legal institution need not be defended by Catholics as a sort of transtemporal "ideal," the single and only institutionalized form of Church-State relationships which can claim the support of principles, the unique "thesis" beside which all other solutions to the Church-State problem must be regarded as "hypothesis," provisional concessions to *force majeure*.

Where the conditions of its origin still more or less prevail, the institution of the state-church is still the object of defense.[9] But the long history of the Church's adaptation of her permanent principles to perpetually changing political realities has not come to a climax and an end with this institution, in such wise that the only valid present effort must be in the direction of a restoration of what existed in a particular epoch of the past—the national state-church by law established, with legal disabilities for dissenters.

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[8] Karl Eder, *Geschichte der Kirche im Zeitalter des konfessionellen Absolutismus, 1555-1648* (Wien: Herder Verlag, 1949); cf. pp. 1-8 for the justification (valid, I think) of the term.

[9] However, I should like to except from this whole discussion the special question of Spain, because it seems to have become impossible rationally to discuss it. Perhaps the reason is that for the Spaniard the question fundamentally involves a matter of prestige—the prestige associated with the assertion, "Spain is a Catholic nation." You touch a neuralgic spot when

On the contrary, the Church can, if she will (and if Catholic thinkers clarify the way for her), consent to other institutionalizations of Church-State relationships and regard them as *aequo iure* valid, vital, and necessary adaptations of principle to legitimate political and social developments.

(7) Such a development is presented by the democratic state. The term does not designate the special type of state which issued from French Revolutionary ideology and Continental Liberalism. The term refers to the political idea of the state derived from "the liberal tradition" of the West, which has been best preserved, though not guarded in its purity, in the Anglo-Saxon democratic tradition. Continental Liberalism was a deformation of the liberal tradition; it was in effect simply another form of absolutist state-monism, to which the liberal tradition stands in opposition.

Democracy today presents itself with all the force of an idea whose time has come. And there are two reasons why it is the present task of Catholics to work toward the purification of the liberal tradition (which is their own real tradition) and of the democratic form of state in which it finds expression, by restoring both the idea and the institutions of democracy to their proper

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you presume to suggest that the religio-political structure of Spain, traditional since Ferdinand and Isabella, may possibly be more intimately related to the peculiar political and historical experience of Spain than to any abstract Catholic principles. In saying this you are implying that Spanish politics and history may perhaps be something less than Catholic—and that implication seems to be intolerable. Again, there is the special meaning of the Spanish axiom, title of a famous book, *Liberalismo es pecado.* The specialty of the meaning can be seen, for instance, in the fate met by M. Maritain's books in Spain and South America. If you make an argument in favor of the method of freedom in political and economic life, you are immediately convicted of the sin of Liberalism and invited to enter, not further argument but the confessional. In these circumstances argument is discouraging. Besides, one has no wish further to wound religious and national susceptibilities already exacerbated by much unjust criticism.

Christian foundations. First, this form of state is presently man's best, and possibly last, hope of human freedom. Secondly, this form of state presently offers to the Church as a spiritual power as good a hope of freedom as she has ever had; it offers to the Church as the Christian people a means, through its free political institutions, of achieving harmony between law and social organization and the demands of their Christian conscience; finally, by reason of its aspirations towards an order of personal and associational freedom, political equality, civic friendship, social justice, and cultural advancement, it offers to the Church the kind of co-operation which she presently needs, and it merits in turn her co-operation in the realization of its own aspirations.

(8) Consequently, the theological task of the moment is not simply to carry on the polemic against Continental Liberalism. It is also to explore, under the guidance of the Church, the possibilities of a vital adaptation of Church-State doctrine to the constitutional structure, the political institutions, and the ethos of freedom characteristic of the democratic state. To this task the theologian is urged by Pius XII's affirmation of the validity of the democratic development and the new concept of "the people" that it has brought into being. The concept of "the people" is the crucial one in this present day, as it was in the past age that saw the birth of the institution of the state-church, which was itself based on a particular concept of "the people."

The political teaching of Pius XII (and of Pius XI) represents considerable progress over the political teaching of Leo XIII;[10]

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[10] Leo XIII was primarily the theorist of the political relationship insofar as it asserts that political authority is ultimately of divine origin and that the citizen is subject to it; this aspect of the matter was to the fore in the heyday of the "sovereignty of the people" in the rationalist sense, anarchism, and political and social unrest. But this is not yet a total theory of the political relationship. There are the further aspects of citizenship, namely, active participation in the institutional organization of civil society (Pius XI's emphasis) and in the political process itself whereby the state functions (Pius XII's orientation). In his social theory Leo XIII did indeed urge Christian democracy in the sense of beneficent action on behalf of the people; but in his political theory he never really answered the great question, raised for the first time in the nineteenth century, "Who are the people?" Actually, the first great historic answer to the question was given in the United States; but the din raised by the conflict with Continental Liberalism was too great to permit the voice of America (ironically, a deist and

and this progress invites to a commensurate development of the theory of Church-State relations. In order that this development may be organic in the Catholic sense, a work of discernment has to be done on tradition—the rational political tradition of the West, the Church's theological tradition, and her tradition of practical conduct in the face of the changing realities of the political order. It is not a matter of debating the "thesis" versus the "hypothesis"; these categories are related to a particular and predominantly polemic state of the question. The doctrinal problem is to discern in their purity the principles that are at the heart of tradition. The categories of discussion are "principle" and "application of principle," or (what comes to the same) "ideas" and "institutions."

Certainly in the conditions of the twentieth century, when a new revolutionary movement has violently altered the nineteenth-century state of the question, it would be an abdication of the theological task, if the theologian were to remain simply the literal exegete of Leo XIII, as if somehow the total doctrine and practice of Church-State relations had reached their definitive and ultimate stage of development in the Leonine *corpus*. Such an abrupt closure of development would be altogether untraditional. It would be to repeat the mistake of the fourteenth- and fifteenth-century canonists, who supposed that with the "traditional" theory of society expressed in the Bull *Unam Sanctam* and with the "traditional" canonical doctrine of the direct power, Catholic tradition had received in every respect its permanent and unalterable statement. Leo XIII did not fall into this mistake; if he had, *Immortale Dei* would never have been written.

(9) Concretely, the present problem concerns the provision guaranteeing "the free exercise of religion" that has become characteristic of the democratic state constitution. At least, this is usually conceived to be the major aspect of the problem. In

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Protestant voice giving a Catholic answer) to be heard in European canon-law classrooms. In fact, to this day European authors of textbooks *de iure publico* seem unaware that there is any difference between Jacobin democracy and Anglo-Saxon democracy, or between "the sovereignty of the people" in the sense of the men of '89 and "government of the people, for the people, and by the people" in the sense of Lincoln. *Hinc illae lacrimae,* spilled by an American on reading books *de iure publico.*

fuller form the problem may be stated as follows: can the Church accept, as a valid adaptation of principle to the legitimate idea of democratic government and to the historically developed idea of "the people" (to which democratic government appeals for its legitimacy) a constitutional system of Church-State relations with these three characteristics: (1) the freedom of the Church is guaranteed in a guarantee to the people of the free exercise of religion; (2) the harmony of law and social institutions with the demands of the Christian conscience is to be effected by the people themselves through the medium of free political institutions and freedom of association; (3) the co-operation between Church and state takes these three forms: (a) constitutional protection of the freedom of the Church and all her institutional activities; (b) the effort of the state to perform its own function of justice, social welfare, and the favoring within society of those conditions of order and freedom necessary for human development; (c) the effort of the Church, through the action of a laity conscious of its Christian and civic responsibilities, to effect that christianization of society in all its dimensions which will enable and oblige the state, as the instrument of society, to function in a Christian sense.

This lengthy question is not to be transformed into a brief tendentious one: Can the Church at last come to terms with Continental Liberalism? The answer to that nineteenth-century question is still the nineteenth-century answer: No. But when the nineteenth-century question has been given its nineteenth-century answer, the twentieth-century question still remains unanswered. To it, as put, I am inclined to answer in the affirmative. The Church can, if she wishes, so permit her principles to be applied to the political reality of the democratic state. The application of each of the three principles (freedom, harmony, co-operation) can be justified in terms of traditional Catholic thought, political and theological.

The resulting system would not indeed be some "ideal" realization of Church-State relations, some sort of "new thesis." The point is that no "ideal" realizations are possible in history; no application of principle can claim to be a "thesis." For instance, in the series of Concordats beginning with the Council of Constance (1418) and ending with the Concordat with Francis I (1516) the Church first undertook to assume an historical attitude to the emerging modern state; in these Concordats were likewise laid the juridical foundations for the institution of the state-church in the *ancien régime.* Yet no one would say that the system of Church-State relationships set forth in these Concordats, and the institutions through which the system operated, represented some "ideal" realization of principle—least of all an ideal realization of the principle of the freedom of the Church. In every respect principle was adapted to political reality—to a political reality, it should be added, that was much less justifiably Christian, because absolutist, than is the contemporary democracy of the liberal tradition. One should therefore expect the Church's attitude toward democracy to be only what her attitude towards absolute monarchy was—a valid and vital, because purposeful, application of principle. Not an "ideal," not a "thesis."

With regard to the special problem of religious freedom one remark may be made. There would seem to be a valid analogy between the constitutional provision for religious freedom in the democratic state and the legal institution of the state-church in the post-Reformation monarchic states, in the sense that both represent an analogical adaptation to analogous situations. The latter institution was an adaptation of principle to two facts: (1) the emergence of the modern state as a "person," as autonomous, with an autonomy that extended to state determination and tutelage of the religion of the people; with this fact is allied the concept of "the people" as purely passive in the face of government, whose purposes are determined apart from consultation of the people; (2) the religious division of universal Christian society into separate and autonomous Catholic and Protestant nations and states. The former institution is an adaptation to two analogous facts: (1) the emergence of "the people" into active self-consciousness, into a spiritual autonomy that extends to a rejection of governmental determination or even tutelage of their religion; with this fact is allied the concept of "the state" as the instrument of the people for limited purposes sanctioned by the people; (2) the religious division within territorial states between persons of different religions. When they are viewed in this historical perspective, it is difficult to see why one institution is any less, or more, an adaptation of principle than the other, why one should be considered more valid and vital than the other, why one has a greater right to claim the support of principle than the other.

Actually, from the standpoint of principle the crucial point is not the fact of religious unity or disunity, with the former basing a "thesis" and the latter an "hypothesis"; for both situations are predicated on a disruption of Catholic unity in the proper sense. The crucial question is whether the concept of the state and the concept of the people that undergird the legal institution of the state-church are any more rational than the concept of the state and the concept of the people that undergird the legal institution of religious freedom. The answer would certainly seem to be that the latter concepts are more rational and better founded in Christian thought.

The foregoing propositions set forth, simply in outline, the major points of a theory of Church-State relationships which may, I think, be considered tenable in the light of the full Catholic tradition of thought and practice in the matter.

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Fr. Shea's difficulty lies with statements (5) and (6). Against them he advances an argument drawn from the ethical thesis on *officium sociale religionis,* as prolonged by the dogmatic thesis that in the present dispensation "religion" is the Catholic religion. Against them he also alleges the authority of Leo XIII.

The second consideration seems to be put forward as the decisive one. The first argument is, I suspect, assumed to be conclusive because it is found in Leo XIII, who is presumed to have used it, not simply to disprove the French Revolutionary thesis that the state ought by nature to be atheist (and for this reason ought to treat all religions alike, as being all equally true or equally false), but also to prove a Catholic thesis that the state ought by nature to be Catholic (and for this reason ought to establish Catholicism by law as the official religion of the state, beside which no other religion is entitled to public existence).

Since this is the real structure of the case, it might seem better to begin with Leo XIII, with what he really said and really meant. However, I prefer to begin by scrutinizing the proposed ethical and theological argument. This is a necessary prelude to an understanding of Leo XIII. After all, an argument is, to coin a phrase, only as good as it is. Not even papal authority can stretch an argument beyond the native reach of its premises. If then it can be shown that the proposed argument falls short of the conclusion drawn from it, we shall have a good reason to suppose that Leo XIII did not intend to draw this conclusion from it. His use of it must have had another bearing.

After a brief development of his argument,[11] Fr. Shea says:

> It is difficult to understand why the foregoing considerations should not call for the conclusion that, in a Catholic society, it is incumbent on the state to be a "Catholic state," to declare and treat Catholicism as "the religion of the state." The formal, official and exclusive recognition and profession of Catholicism by the state in a Catholic society as its own one and only religion, in short, the establishment of Catholicism as "the religion of the state" seems necessarily contained in the very notion of the state's duty to accept and profess the true religion, therefore Catholicism, with its creed, code, and cult. How else could the state, *qua* state, in truth accept and profess Catholicism, together with its tenet that it alone is the true religion?[12]

The language of the conclusion would seem to betray some hesitancy about its firmness—a hesitancy that is justified. The real difficulty lies in understanding why the premise advanced *should* call for the conclusion drawn. In fact, the conclusion clearly goes beyond the premises. This can be shown in two steps.

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[11] The argument is not entirely free from the conceptual difficulties that center around the vexing question: What is the state? Fr. Shea seems at least once to take "the state" to mean "the civil authorities." His more consistent definition considers the state as "the body politic of a people." For my part I now (after more study than I had given the matter when I wrote the passages quoted by Fr. Shea) insist on the distinction between "state" and "body politic"; I note that in his latest book, *Man and the State* (Chicago: University of Chicago Press, 1951), M. Maritain likewise insists on the distinction. He also, like myself, identifies "body politic" with "the people." True enough, these distinctions do not greatly matter in the relatively simple question of the "worship" of God by the state. However, the distinctions are of great importance in the broader, more difficult, and historically complicated question of *cura religionis* as devolving on the state. Your answers to this question will depend on what you mean by the state, and what kind of a state you mean, i.e., how you conceive the political relationship: do ruler and ruled stand to each other as father to child, or as absolute monarch to passive subject, or as functional institutions to equal citizens actively participating in rule?

[12] *Art. cit.*, pp. 167 f.

First, the obligation imposed by the *officium sociale religionis* extends only to the position of religious acts. It is adequately met "by official participation [on the part of administrative officials of the state] in acts of worship properly so called—of adoration, thanksgiving, supplication, and the like" (Fr. Shea's words). By these religious acts the body politic, represented by governmental officials, fulfills its duty "to acknowledge its dependence on God by appropriate acts of worship." Moreover, in a "Catholic society" (the term is ambiguous, but let it stand for the moment) these acts will obviously be inspired by Catholic doctrine and offered in Catholic liturgical forms, e.g., the Red Mass. Hence they will be of their nature an "acceptance" of Catholicism, a "profession" of Catholic faith. And this profession will be exclusive; this "Catholic society" will obviously not invite a Unitarian (supposing that there are Unitarians in a "Catholic society") to open the legislature with a prayer to the Architect of the Universe. By these religious acts, performed on "state occasions," all the requirements of the ethical thesis, and its theological prolongation, will be adequately met.[13]

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[13] This whole matter of *officium sociale religionis* ought to be brought into perspective. An initial distinction is necessary between the service of God and His worship in the proper narrow sense. Continental Liberalism laid down as a first principle that religion is a purely private matter, irrelevant to society. The opposed first principle of the Church is that man in all his forms of sociality is obliged to serve God; the great society and all its subsidiary forms, political society, the state, and government are all subject to the law of God. That is, each form of sociality is bound to observe the norms of goodness inherent in its "idea," deposited there by God, the author of nature (Liberalism contended that an autonomous human reason created its own norms, "under no regard whatsoever for God," as the third proposition of the Syllabus has it). This was the main ground of conflict. But the question of social worship of God, in itself peripheral, assumed preponderant importance for a very good reason. Jacobin democracy in France (and elsewhere as the Revolution spread) had abolished all the traditional Catholic rites of religion on public occasions; in fact, the public cult of reason was introduced. This break with tradition was a symbol of the new "atheism of the state"; it publicized a national apostasy, in part effected, in part to be enforced by governmental action. In itself, of course, the fact that governmental officials appear on state occasions at religious functions conducted by the Church is of no decisive importance. It does not guarantee that government will be good; for all its High Masses the *ancien régime* was about as bad a government as history has seen. However, despite their

My friendly critic does not seem to agree that all the requirements of his thesis would be adequately met by these religious acts. He wants his premise to yield a further conclusion, and impose a further obligation on "the state." This further obligation is not to a religious act but to a political and legal one—to the making of a constitutional law, with the political consent of the people, that Catholicism should be established as the official state-religion. My second suggestion therefore is that the proposed ethical and theological argument does not reach this conclusion; it cannot create an obligation to this political and legal act. This suggestion is *prima facie* true; the onus of proof is on those who may wish to contest it. However, two arguments in support of my suggestion are readily available; one is from principle, the other from history. Taken together they are, I think, conclusive.

First, an immediate illation from the order of ethical and theological truth to the order of constitutional law is, in principle, dialectically inadmissible. If such an illation is to be made, it depends for the validity of its conclusion on the mediation of an historico-social middle term. This is the first point that I shall develop. It throws our argument into the field of history. Secondly, therefore, I shall say that the institution of the state-church did not appear in history as the triumphant product of an

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rationalism the men of '89 understood the value of symbols. They understood too that, precisely because it is the highest function in the body politic, the state is more than this. It is a symbol. In this respect it ranks with the national flag. It is a focus of popular sentiment; and the atmosphere that surrounds its action creates a climate of feeling in society. It is this symbolic character of the state that makes its appearance (in the person of governmental officials) at divine worship important. What was really at stake therefore was something non-rational in the sense that symbols are non-rational, because they are suprarational. This fact gave the issue its enormous importance: which symbolism was to prevail, and by its prevalence color the national atmosphere? True enough, one would hardly guess that this was the real issue from reading the learned books. Their fiercely rational arguments that "the state is a creature of God" obscure the real point, that the state is a creative symbol of popular feeling. In a curious way the nineteenth-century philosophers who brought into being the "separate ethics" and installed in it the thesis *de officio sociali religionis* were more rationalist than Robespierre and the Jacobins when on Nov. 10, 1793, they abolished the worship of God in France and substituted the cult of Reason.

enthymeme: "The Catholic Church is the one true Church; therefore it ought to be the state-church." On the contrary, when the institution first appeared in history, the argument moved in reverse: precisely because the true Church is one (i.e., universal), it ought not to be a state-church, the church of a limited territorial entity. Only later, when the rise of Protestantism had shifted the problematic from the defense of the true Church that is one (i.e., universal) to the defense of the one (i.e., only) Church that is true, did the institution win more than toleration from the Church. And only later still, when the problematic had further shifted to a polemic against the Liberalist proposition (religion is a purely private matter, irrelevant to public affairs; the state is atheist; it acknowledges no *officium religionis*, regardless of the traditional faith of the nation; the secular power is entitled to define the status of the Church in society), did acceptance of the institution turn into defense of it. The point of this historical argument will be to show that the institution of the state-church owed its origin to a particular historical situation (concretely, to a prevailing concept of the state and of the people), and that the Church's attitude towards it (whether of toleration, acceptance, or defense) was determined by this situation. Principle was of course involved; but the historical middle term was decisive. It determined the application of principle.

Before moving onto this historical ground, there is an introductory argument to be made. It rests, first, on the fact that the establishment of a state-religion is an act of positive law, and secondly, on the principle, cardinal in Scholastic jurisprudence, that positive law has a twofold criterion, not only moral and religious but also social.

The fact needs a bit of emphasis. It seems sometimes to be supposed that the act of establishing Catholicism as the state-religion is a religious act, a profession of Catholicism by the state, an act of faith in the one true Church.[14] This is not so. The institution of the state-church is a juridical institution, and the act of its establishment is a legal act—therefore an act of reason, not of faith. By divine law the Church is universal, the religion of mankind; if and when it becomes incorporated into the legal structure of a territorial state, this status is acquired by human positive law. I am rightly supposing that constitutional law in itself, or as modified by concordatary arrangements, is positive law.

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[14] Fr. Shea four times speaks of "the state" as "a creature of God"; the formula does not occur in the citations he gives from Leo XIII nor in any other texts that I know of. What does it mean? In the United States, for instance, in what sense are the institutions of the Presidency, the Congress, and the Supreme Court "creatures of God"? And in what sense can the state, as a set of institutions, a function, an agency, make an act of

For instance, when the Concordat of 1803 between Pius VII and the Italian Republic declared that "The Catholic, Apostolic, and Roman religion continues to be the religion of the Italian Republic,"[15] this declaration was not a dogmatic decree on the part of the Holy See, nor was it an act of faith on the part of the state—least of all on the part of Citizen Bonaparte, President of the Italian Republic. The enactment simply established the public status of the Catholic religion in Italy on a footing of positive law, and obliged government and citizens to respect this status in external act. By this time, and even before, Concordats had become instruments of international law.

Secondly, in Scholastic jurisprudence positive law is governed by a twofold criterion. Constitutional law in particular has a social as well as moral and religious reference. Constitutions, as Burke

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divine faith or profess a religion? Is the state a subject of the *lumen fidei?* It is clear that Fr. Shea has an hypostatized concept of the state which makes plausible this manner of speaking. In my concept, which is demonstrably sound, the state is not an hypostasis. You may, if you will (the expression is misleading), say that it is a "moral person," but only in the sense that it is human action which, as such, must be guided by intelligence and will. But the fictive quality of "person" that the state has by a sort of attributive analogy does not make it capable of an act of faith. As I shall later say, the state, as a set of institutions, must have a *cura religionis;* it may not act "as if there were no God"; and, as already stated, its officials, mindful of the symbolism of the state, ought at times to participate in acts of religious worship. But the state, I repeat, cannot make acts of faith.

[15] A. Mercati, *Raccolta di Concordati* (Rome, 1919), p. 566. This is the first occurrence, as far as I can find out, in an official document of the formula, "the religion of the state" (the text actually has the equivalent, "religio reipublicae"). As a formula, it belongs strictly to the nineteenth century—a fact which hardly can be said to bestow on it the status of "traditional." I shall later say that in its connotations it reflects the characteristically nineteenth-century state of the question.

said, are not puddings concocted from receipts—even, one may add, from receipts formulated in the untroubled atmosphere of ethical and theological principle. They must have regard for contingent social fact; they are made from the bottom up as well as from the top down.[16] This traditional principle hardly needs development. It was deposited in the famous dictum of Isidore of Seville, the great canonist who mediated Roman legal concepts to the Germanic world. St. Thomas transformed his description into the classic definition wherein the two aspects of law are exhibited. Law is an act of reason, whose obligation derives from its conformity to the order of reason. Law is also for the common good; it has a purpose which is only achieved by a right measure of adaptation to the concrete circumstances of time and place, national character, existent traditions and customs, etc., within which it must pursue its purpose. All this is obvious.

It will, of course, be said that the argument for the state-church does not pretend to be an immediate illation from ethical and theological principle—from the nature of the Church and the nature of the state.[17] It takes account of a social criterion. It supposes the hypothesis of a "Catholic people"; it is predicated on the conditions of a "Catholic society." In this hypothesis and under these circumstances the institution of the state-church, it is said, becomes theologically necessary. But this unexamined, ill-defined hypothesis, which supposedly gives the argument its decisive point, is precisely the source of its weakness.

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[16] The very notion of a constitution involves the notion of a political act of popular consent. This is true of all forms of constitutionalism, Roman, medieval, and modern, however much they otherwise differ (cf. McIlwain, *Constitutionalism, Ancient and Modern*, Ithaca: Cornell University Press, 1947). It is even true of the so-called octroyed constitutions of the nineteenth century, in the sense that they were obtained, or extorted, from the absolutist monarch by popular demand. Moreover, the political act of consent to the fundamental law is the primal condition of citizenship. Those who refuse to "uphold the Constitution" are *eo ipso* barred from the body politic, whose very being as a body is founded on this law *par excellence*. The Jew, for instance, was not a citizen of the medieval *respublica christiana*. Only during the absolutist era of the *rex legibus solutus* whose despotic will was the sole source of law did this ancient and Christian concept of law disappear. And it is doubtless not without significance that the institution of the state-church and the later constitutional concept of the religion of the state flourished in the absolutist era and in the absolutist revivals of the nineteenth century.

[17] The phrase, "the nature" of the state, as used in this whole question, has a certain misleading glibness about it. It can of course be rightly understood, but often it connotes a transference of the state into the order of substance. One would better say that the state has certain natural functions, certain forms of activity proper to it by nature, by the natural law to which it owes its origin. The problem that has always vexed political philosophers

One cannot suppose that the argument wishes to move in a circle: in the hypothesis of a "Catholic society," the institution of the state-church is theologically necessary; but a "Catholic society" is, by hypothesis, one in which the institution of the state-church exists. Nevertheless, this *petitio principii* seems to lurk beneath the argument, especially as used by writers who identify "society" and "state." The danger of begging the question is created by an attempt to transform an historical polemic argument into an abstract speculative one. The nineteenth-century polemic bore, as I shall say, upon a defense of the state-church in the historic

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is to know precisely what these functions are—how far the functioning of the state should extend. In the era of New Deals and Fair Deals everyone is aware of this problem. Certain functions are inherent in the very "idea" of the political relationship itself, but their formulation can only be very general, e.g., the *tutela ordinis iuridici.* Other functions are contingent, e.g., upon defects in the great society: in proportion as society is unjust a function of justice devolves upon the state. The *cura religionis* is certainly a function of the state; but the question is to know what forms this *cura* must take by nature. What forms are inherent in the "idea" of the political relationship? What forms have contingently been assumed by the state itself in consequence of its own special idea of itself (e.g., the *cura religionis* assumed by the absolute monarch in consequence of his theory of a spiritual mission inherent in his office as held by divine right)? What forms have been historically delegated to the state by the Church (e.g., to the medieval Emperor, who stood within the Christian Commonwealth in a unique relationship to the Pope)? What forms have been conceded by the Church as privileges (e.g., in the *ius patronatus*)? And what forms have merely been tolerated by the Church (e.g., the *regium placet*, etc.)? I am inclined to say that the only form of *cura religionis* on the part of the state that is inherent in the idea of the political relationship is the *cura libertatis religionis*, which, in the hypothesis of the founding of the Church, must extend itself to a *cura libertatis Ecclesiae.* Everything else is history. History does indeed validate other forms, but it does not make them eternal, essential, any more than the Fair Deal (as some people hope) is essential or eternal. Nor need one suppose that a society is the more Catholic in proportion as the state assumes greater supervisory care of the Catholic religion. If the analogy between society as religious and society as just is valid, the contrary would obtain.

"Catholic nations" (or "states"—the terms were used interchangeably), which were considered such precisely because in them the Church was established by law.[18] The polemic argument did not beg the question, because it knew what the question was—an historical one. The risk of circular argument arises when one evacuates the term "Catholic society" (or "state" or "nation") of its complex, concrete, and historical meaning, and attempts to give it a pseudo-abstract meaning by surrounding the term with a mist of indefiniteness.

Fr. Shea uses the term, "Catholic society," some five times; but he does not explain what he means by a "society" and what further meaning is brought to the term by the qualification "Catholic." Only one thing is clear: the term "society" is not used in its proper sense. Properly "society" designates a structured order of human relationships (familial, civic, economic, religious, etc.) which is constituted in view of an end. A society is not constituted by a mass of individuals but by a patterned ensemble of purposive human associations—in a word, by institutions. It is a structured social entity (or better, a social action, a *conspiratio*) whose structure is determined by institutions. In this sense a "Catholic" society would be one whose institutional structures were shaped by those dictates of nature and reason which derive from consideration of the social aspects of human personality—for instance, the principles of justice (in its three forms), social charity, the "subsidiary function," personal and associated freedom. Further, a "Catholic" society would be one whose institutional structure revealed effective application of the three ethico-theological principles governing Church-State relations—the freedom of the Church, *concordia*, co-operation.

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[18] Moulart makes this statement: "Today there no longer exists anywhere a Catholic state in the true sense of the word. Those which in these latter days have borne the name no longer justified it in reality. The last vestiges of the *ancien régime* disappeared with the fall of the throne of Isabella, Queen of Spain" (*L'Eglise et l'Etat*, 3rd ed., 1887, p. 353). The ill-fated daughter of the ferocious Bourbon Ferdinand VII (one of those who came back, having learned nothing and forgotten nothing), was forced to flee the country, and was declared deposed, in September, 1868. The question is whether Moulart is simply stating a fact or expressing some nostalgic yearnings. Is the Catholic ideal the return of absolutism? Did the Catholic "thesis" go out with the Bourbons? And do we now hover in midair, as it were, clutching our principles to our collective bosom, unable to make any application of them (save where there is dictatorship on the Bourbon model, as in Spain), and condemned to find our way through the contemporary world into the future (which belongs, I hope, to democracy) touching only on the precarious footing of expediency, what time we look back over our shoulder at the diminishing figure of Isabella II? What an extraordinary posture for the universal Church!

This meaning of "Catholic society" is evidently not intended as the social criterion to which the argument for the state-church makes reference. This is not the hypothesis of the "thesis." If it were, the institution could not be historically justified; for it has obtained in societies in which these principles were not only violated in practice but also denied in principle. For instance, in the France of the *ancien régime*, from Francis I to Louis XIV, the cardinal principle of subsidiarity was in principle denied by the institution of absolute monarchy—an institution which was not Catholic on any showing of Catholic political principle. Likewise denied in the *ancien régime* was the principle of the freedom of the Church; Francis I half-cynically conceded that he would probably be damned because of the bonds in which the Concordat of 1516 confined the Church of France and the Holy See. Yet it is to the *ancien régime* and its imitators, the Restoration monarchies, that the books *de iure publico* point when they are developing the "thesis" about "Catholic societies."

The supposition therefore must be that by "Catholic society" the argument means simply "a territory with a Catholic population," a physical multitude of individuals in each of whom individually there resides the gift of Catholic faith. This statistical concept is in fact the social term of reference that apologists of the state-church have in mind when they speak of its theological necessity in a situation where "Catholics are in the majority," or "in an overwhelming majority," or a "quasi-totality." None of the apologists are kind enough to determine the exact percentage-point at which the state-church, from being theologically non-necessary becomes necessary, and vice versa. Nor are they bold enough to attempt a justification of this procedure of making an argument, which wishes to appeal to principle, depend for its validity on a mathematical process of counting Catholic noses, or (what is perhaps worse) on the process of power-politics connoted by the term "majority." The discerning theologian, who knows history, will understand that the Church herself, in accepting or defending the institution of the state-church, never relied on such dubiously valid premises.

My argument here is that this statistical concept, a "Catholic population," is a pseudo-abstraction which, as an hypothesis of argument, is unreal and invalid. Again the argument moves in two steps—one theoretical, the other historical.

In theory, constitutions are not adaptations to sheer facts of population. A statistical concept is not a valid term of reference for any human law. The proper term of reference is "the people," which is not a statistical concept but a truly social-ethical-historical concept, concrete, living, and dynamic. A population is only a shapeless mass, an arithmetical sum of individuals, existing in that lowest form of sociability created by coexistence in the same territory. A population is a material concept; "the people" connotes an historically developed form. Even the qualification "Catholic" does not transform a population into a people. The common possession of the faith does indeed create a spiritual bond between individuals; to this extent it creates a community. The concept of "the faithful" is a social concept, but only in an ecclesiastical sense—in the sense that the faithful have a common life which itself has a form, being organized in the institutions of the Church and directed toward the ends of the Church. But the social term of reference for public law is not an ecclesiastical concept of the people.

A common faith does indeed enter strongly into the constitution of a people, as a bond of unity and the remote inspiration of a culture. However, the faith does not of itself define historical destinies, or create any particular social system, or inspire any particular institutional structures of common temporal life; these are not the functions of religious faith. And the differentiating characteristic of a people (even among the heterogeneity of "Catholic peoples" that history has known) is furnished precisely by the institutionalization of common temporal life, as this is effected under the shaping influence of secular history and all the forces active in it—environment, national consciousness and temperament, an inheritance of common experience, familial and political traditions, gradually built-up patterns of feeling, fixed customs and established loyalties, the wisdom and heroism (or stupid vulgarity) in the songs sung by generations, various solidarities of almost instinctual origin (as among peasants and farmers), other solidarities of more rational origin (the influence of social, juridical, and cultural institutions), a pervading ethos whose origins often defy analytical investigation, and, last but not least, the powerful impact of "great men," creative personalities whose achievements live in popular memory, and who, by making history, make peoples.

A population merely inhabits the physical soil of a country; a people grows out of the moral soil of the country's history. "We, the People," is a human thing, of flesh and blood, ensouled by a community of ideas and purposes; it has a common life, organized in myriad interlocking institutions, slowly built up in time, which impart to this life a structure and a form. A population is a mere collectivity; a people is an individuality. It has a style of life, good or bad or both. And all that is implied in this style of life finds reflection in the laws which furnish the basic vertebrate structure of a people, whether they be public law, private law, customary law, or group regulations.

When therefore we seek the social term of reference for the positive law whereby a state-religion is established, we shall not find it in the pseudo-abstract statistical concept of "the population" (even as qualified by the term "Catholic") but in the concrete social concept of "the people." This concept includes both rulers and ruled and their political relationship, the whole contingent, historically conditioned order of organized human associations, the total institutionalization, similarly contingent, of public, private, and group life, and the individual genius that in the course of history always comes to be stamped upon every genuine people.

What theory asserts, history confirms. In fact, as St. Thomas taught and many forget, in what concerns that branch of moral science which is the science of law, history makes the first affirmations.[19] Here then is the place to make the decisive historical argument. The general proposition will be the one already stated above (on pp. 333-34) and repeated (on pp. 343-44). It asserts that the legal institution of the state-church and the later constitutional concept of "the religion of the state" did not come into being as pure deductions from the nature of the Church and the nature of the state; nor did they have their origin in a situation characterized by the sheer fact that the population, rulers and ruled, were Catholic. They owed both their origin and their justification to a necessary effort on the part of the Church to apply her permanent principles in the new historical situation created, first, by the emergence of a new political reality, the modern state, with its new concept of the relation between "the power" and "the people," and secondly, by the new fact of a religiously divided Christendom wherein the old religio-political concept of the Empire had to cede place and power to a multiplicity of nation-states and minor principalities, all erected on the new model of the modern state, and all postulating the new concept of "the people." Insofar as the Church later defended the juridical concept of "the religion of the state" against the monistic ideology of the French Revolution, it was making a legitimate and at the time necessary defense of a particular institutionalized form of Church-State relationships (the "union of Throne and Altar") which it judged to be still valid in the circumstances, certainly in contrast with the historical alternative, the institution of religious freedom, theoretically predicated on the premises of rationalist Continental Liberalism (with its absolutist concept of "the sovereignty of the people"), and practically converted into an engine of war upon the freedom of the Church, the principle of legal and institutional *concordia*, and historically traditional practices of co-operation between State and Church. These, in brief, will be the lines of my historical argument. After thus setting the question in proper historical perspective, it will be possible to grasp the structure and meaning of the teaching of Leo XIII and its place in the development of the Church's doctrine on Church, state, and society.

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[19] "But a young man has no knowledge of the things that pertain to moral science; for these things are for the most part learned by experience" (*Eth.*, I, 3). What is true of the individual is even more true of mankind as a whole.

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". . . AND I WORK"

PART I

For high-charactered persons, perhaps their least perfected phase of noble living and their strongest and subtlest temptation to waywardness is their work. Work occupies the major portion of our earnest thoughts, our fondest desires and our deepest emotions. It would seem, then, rightly to demand closer attention, more detailed examination, more assiduous study and improvement than we usually accord it in our plans for perfection of living. Our attitude to our work is necessarily found to be more or less seriously awry because we are not sufficiently influenced by the proper realization of work's true worth, and above all, of its true purpose. From the defective evaluation of work arise essential errors in social relations towards superiors, towards fellow-workers, our family and associates, and in our emotions and objectives.

Many love their work too much. They forget that they are working principally for the happiness of others; and they make their work a reason for rendering the persons, for whom they are devotedly working, constantly unhappy. Everything at which we work is eventually for persons; why, then, in the name of common sense, do we sacrifice those very persons to the work we do for them? There is a whole class of unthinking husbands and wives, who really slave at their work to give their families material welfare; but they allow their work so to engross them that they fail to accord what their families want much more for their happiness: loving association and intimate interest. People count; not work. Midas of Grecian lore turned all that he touched to gold; and, consequently, he starved. Many a person one-sidedly turns every interest in life into his or her work and starves self and others of the indispensable food of love and gracious humanity.

"You shall do evil in the sight of Lord to provoke Him by the works of your hands" (*Deut.* 31:29). Many, too, forget that they are working ultimately for God and for His purpose in their lives; and they make apparent success in their work a reason for offending God, for whom they profess to be engrossedly working. What God wants, as he told self-willed Saul (*I Kings*

15), is not magnificent achievement against His commands, but the docile heart. God's Will is important, not work! This hysteron-proteron, this inversion of values in work, can, and does, happen to high-intentioned people, even to those who have generously dedicated their lives to God's glory in the welfare of their neighbor—even to religious and priests. Their pretext is: "I am working for my family, for my firm, for my religious community, for my parish!" and their manner and valuation of their work is an injury to the persons whom they are supposed to benefit. "It's God's work!" is often the specious excuse for displeasing God by gross disobedience to superiors' restraining directions and for frequent injury to charity by ruthless disregard of others. Hence an occasional meditation on the meaning and value of our work is very much in place for all of us.

Work is the chief and most constant contact with our fellows, in whom we create values, especially as the fruit of our obedience, kindliness and self-sacrifice. Magnanimous readiness to forego some, and at times all, our personal success in our works, in order to preserve the greater values of God's will and our neighbor's happiness, is the infallible test of social spirituality and equilibrium of spirit, as well as the proof of nobility of view as to the real worths of life.

The lamentable persuasion that full living is the full exploitation of others for the aggrandizement of one's own work is an unfocused view of values and a distorted understanding of intended relations between us and our neighbors. The religion, philosophy and worth of such a life of work is not worth a toadstool. God's reckoning of man's activity is made clear by St. Paul (*I Cor.* 3:8): "Everyman shall receive his own reward according to his own labor,"—not according to his cuckoo ability to pirate the fruits of other persons' labor.

Smaller in number than those who love their work too much, but still notably numerous, are the many who love their work too little. For some unambitious ones of gypsy strain, and for some hysterics laboring under a fatigue complex, there is an unwillingness to face the fact expressed in the fundamental observation of Job (5:7) that the bird is made to fly and man is made to work; and they seek to evade as far as possible, the necessary day-long discipline and severe penance of work—as necessary to life as the bread which it yields.

I. WORK'S PURPOSE

The Hierarchy of Purposes in Life and Work

If we look on our finite creation in work as the Creator looked on His work, we shall "see that it is good." Work is undoubtedly the great instinctive satisfaction of bodying forth our thoughts as substantial realities, just as God, in making the world, realized some of His eternal thoughts. By very essence we are creators diffusing our good, because we are "made to the image and likeness" of our Creator. The creative instinct is most highly developed in the most highly gifted characters. Hence arises in these potentially great personalities, when headstrong, the danger of seeking, in Luciferan aspiration to insubordinate creation, to create a little cosmos of works, not within the wise and good *cadre* of the divine Creator's purposes. The common result is that unethical means are employed to further their enterprises, which "bury madmen in the heaps they raise."

Our life's work, as we value our life, should be carried out with the greatest wisdom; and wisdom is in the purpose. Herculean work is often unwise, lost work, because it is for an unwise purpose. The purpose of our work, a major part of our life, is to be a major means to the purpose of our life. God has given all things minor purposes, all leading to the major and ultimate goal of glorifying Him, their Creator. Minor ends of man's work and activity, such as love, ownership, education, worship, justice, are imposed by God on human creatures and are to be fulfilled by freely chosen acts, which perfect the doer's nature and thereby attain his ultimate end, the glory of God. Man can determine whether he will compass his ultimate purpose by freely accomplishing the minor purposes of his human nature; but man cannot assign to himself the ultimate purpose of his works and existence, since he cannot assign to himself his nature. God alone determines that, since God is man's absolute Owner and Lord. The purpose of man's nature, but not the fulfillment of it by his actions, is forced on him.

Work, like all other human action, is impossible without an energizing purpose. Our chosen action is always an answer to a "Why?" The purpose of each free act is a rivulet flowing on to another stream of purpose, which, in turn, flows into a teleological river, reaching finally the ocean and end of all purpose, the ultimate end of man. Strange, isn't it? that so many thinking men refuse to recognize the flow of finality in all being, above all in man, purposeful *par excellence* by his free choice. While they cannot ignore finality in their action, carrying them from purpose to purpose, their minds refuse to follow fluent purpose beyond the brook—or at most, to the river—but never to the ocean, God. Acknowledge it or not, all action is made to cascade from course to course of immediate purposes, until it rests in a final purpose of human existence, true or false.

There is a proper hierarchy of purposes in human action:
A man works for the purpose of getting money,
in which his purpose is, for instance, to buy a home,
in which he has the purpose of taking care of his dear ones,
in which he has the purpose of fulfilling his social duty,
in which he has the purpose of perfecting his own social nature,
of which the purpose is the reflection of God's nature and will in his own nature,
and of possessing God in beatitude eternal,
which has the final purpose of glorifying God.

The ocean, through the force of gravity, is continually reaching throughout the land, drawing all waters to itself, whence they rose as vapor. God, the infinite Good, sent forth homing human creatures, with a ceaseless, all-compassing longing for the good; and by this longing He reaches throughout humanity to draw all hearts and wills to the terminal ocean of His Goodness, whence they rose. But each person is free; and each heart can wander out of its streambed of real good, into the stagnant swamp of finite good sought for itself alone as the final purpose of work and of other activity.

There is nothing plainer than the universal tendency to necessary purpose in non-human creatures, nor than the universal tendency to chosen purpose in men. Purpose is the binding relation among all things which gives them their unity—the cement which makes a whole, not merely of the non-human world, but also of the gravel-like activities of a human life. Without a unifying purpose, all things are absolutely disintegrated. Purpose not only makes individual things enter into a whole, but, by the same token, it also gives things individuality, which they could not have without the common purpose of all their parts, thus constituting a whole.

Mental decadence, the state of American public education, is essentially its subjective valuing of "experience for its own sake," without any final objective purpose for work or for moral existence. This ill-starred "dropping of the object," the dropping of objective purpose, is the dropping of all objective standards of the good, of the beautiful, and even of the useful. Without objective purpose, society becomes a maelstrom of individual currents of subjective desire; and the world of mankind develops into a madhouse of wild, existentialist, introverts. No; work and life cannot be the selfishness of narcissistic contemplation of self in the pool of personal feeling!

If, as we move in the forest of living, all voices come to us from the same point, we should conclude that human beings dwell at that point in the forest. All voices of life which are really human come from the common center of objective purpose. Yet there are many errant thinkers who catch the sound of these voices, but who will not follow them to their source: ultimate and objective purpose of all work and existence. All the paths in the desert of work, which lead to the water oasis, are paths to the ultimate purpose of man. Wandering, thirsting minds often see these paths; they travel them a space; but when the path proves not to their liking, they abandon it and roundly declare that there is no oasis in the desert of work.

One finite purpose obtained by our work is always because of another finite purpose, and should arrive at a final purpose which is not finite, the all-compassing infinite purpose of God in His finite creation. There is no possibility of any purpose unless it operates under a final purpose; and if that final purpose is the right one, it must be the infinite purpose and Good which is willed, not for a further purpose, but for itself. Purpose is objectively an "act" or perfection, which can fill a potency or capacity; and every potency ultimately speaks of an Ultimate Act, the Summum Bonum, the Ocean to which the waters of all purpose flow, and in which all purpose finds fulfillment and happy rest. Hence nothing finite, not even man and his own or others' perfection is the final end of man and of his work; only in the ultimate fulfillment of God's glory in the ultimate possession of the Supreme Good, man attains his ultimate end and purpose.

The Value of Work is its Purpose

The apostle Paul, "in much labors," was a trenchant propagandist of the human need to work; but he was none the less contemptuous of work which is not "the work of the Lord," "according to the counsel of his will" (*Eph.* 1:11). The worth of work is its nobility of purpose, namely, the purpose of the Creator in the laboring man, and the purpose of divine Providence in each single act of man's labor. Carlyle was mistaken in saying: "All work is noble," and still more in saying: "work alone is noble." Human labor is slave labor under the stinging lash of human need or under the driving goad of the passion of ownership or of ambition. Fulfilling the transcendent purpose of God, the most menial and exhausting labor becomes the happy, noble, appreciated and amply rewarded service of a child rendered to the will of his infinitely rich Father.

There are two tots playing with mud below my window. Rosie to Roger, who has somewhere scraped together, into a tin can, earth on which bluing has been spilt: "I wish I had blue mud. My mud is only brown." A third tot approaches, to whom Rosie: "Look, Jennie, Roger has blue mud. Don't you wish you had blue mud?" They will probably never grow up, except in age. All through our lives we are very much concerned with the mud we are playing with; and after all, blue or brown, in itself it is mud.

The kind of work we do is only the varying mould in which the same infinitely precious metal of God's purpose is given its finite shape. No shape, however artistic, intelligent, or valuable it may be, can add to the worth of the metal moulded. Thus, truly, and without any trace of the insincerity usually attached to such expressions, the day's work of the most gifted genius or administrator, valued in thousands of dollars, and the day's work of a laboring coolie are in themselves the equally valuable moulds of the infinitely precious will of God, to which no consideration of human excellence can add an iota of worth. If the labor of the faceless coolie and of the exalted executive contain the divine will equally, they are of equal worth. Checks vary in worth, not according to their kind of paper, but according to the values inscribed; so, human work is a varying kind of paper which has its value only according to the amount of the will and purpose of God which it carries inscribed on itself. "Therefore, my beloved brethren, be ye steadfast and immovable; always abounding in the work of the Lord, knowing that your labor is not vain in the Lord" (*I Cor.* 15:58).

Secularist psychologists and sociologists rule out, as the reason and basis of social virtue, the purpose of God who is the absolute Owner, the omnipotent Ruler, the ultimate norm and measure of all worth. They sedulously chant the word "duty" as the postulated reason for constant labor, as well as for other socially fitting behavior. But without God to whom all duty is due, what is "duty" but senseless mumbo-jumbo? Duty, without God's will for its explicit basis of worth—as a number of noted writers on value simply avow—becomes nothing else than self-interest; and godless self-interest can as easily be opposed, as be according, to the virtue of self-immolating, social, industry.

"Men have gone astray and become useless"—to use the words of the Psalmist (13:3; 52:4) and of St. Paul (*Rom.* 3:12)—not so much because of the ignorance of the ignorant, but because of the ignorance of the reputedly learned, *docta ignorantia*, of philosophers, psychologists and educators, who in great majority cannot rationally explain the purpose of human work—much less, of human existence; who, consequently, assert that life's activity is totally aimless, largely by reason of their fundamental supposition that there is no such thing as purpose anyway or in anything. "I go on working," says H. L. Mencken, "for the same reason that a hen goes on laying eggs."

Ruskin admonishes us concerning architecture: "There should not be a single ornament put on great civic buildings without some intellectual intention." So, too, the human ornaments of place and prestige, of intelligence and social value, and even of spirituality, are shabby detractions from the worth of work, if they are not in accord with the basic architectural plan of God's masterly purpose for the work and for the worker. Our own designs, obliterating the divine designs in our work, are like those pieces of gaudy cloth with which some parish priests of Italy cover the exquisite pillars and the symphonic lines of a church edifice which has been designed by a Michelangelo.

Noble is all Work for a Noble Purpose

It is a thoroughly and basically pagan, and hence a philosophically and spiritually *égaré* view of life, which Celsus, in the second century, aired in his diatribe against Christianity, to the effect that Christ was despicable because He did manual labor. The purpose of the Nazarene, His Father's will, alone made His labor great. Christ the Worker presented Himself in His working clothes as the perfect man; and in His laboring Personality, He, who fashioned man's material, psychological, and supernatural constitution, offered the perfect fulfillment of God's purpose and the highest possible perfection in man: "For I do always the things that please Him" (*John* 8:29); and thus He gave the solution of the material and spiritual problems of the lives of His fellowmen.

Those who by labor attain God's purpose in themselves are, by no means, humiliated because some addle-pated snobs—and there can be religious snobs—think that common labor is humiliating; no more than God-made-man was humiliated by His horny hands. In a fastidious Grecian world, the noble St. Paul, seeking to bring the conceited fatuity of the Academicians to the wisdom of Christ, gloried in the fact that he worked to support himself in the necessities of life (*II Thess.* 3:8).

That society is purposeless and in rotten decadence, in which human work is considered belittling. So fell away the glory of Greece, the grandeur of Rome, and the chivalry of France. The sultry atmosphere of idleness in society generates within itself the lightning of the Commune, as well as the avenging wrath of nature, which demands that every human being, for the glory of God, for one's own good, and for the good of society, should spend the major part of his or her day in toil.

Work is God's purpose for man and is man's obligation to God because work is the effective means intended by God to perfect man and society. There is no special kind of work that is noble, and another kind that is ignoble. The social snob, the financial upstart, and the naive religious or thoughtless priest, is pitiful in thinking that some kinds of more noticed occupation are in themselves noble; for they would not think that some work is mean unless they foolishly believed that some kind of work is of value in itself.

This glitter of certain work swindles many amongst the spiritual-minded. Not the kind of work, but its purpose is of importance. At times, we are so enamored of the appearance of our work that we lose its substance; and in the end, we find that we have clutched in greedy hands the mere bright wrapper, and have lost its substantial content. Faith must prize the invisible worth of our work, "the substance of things to be hoped for" (*Heb.* 2:1).

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(*To be continued*)

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FIFTY YEARS AGO

The leading article in *The American Ecclesiastical Review* for May, 1901, contributed by Fr. E. Magevney, S.J., and entitled "Systems and Counter-Systems of Education," gives an account of the various methods of education proposed both by Catholics and by Protestants, beginning with the Treaty of Westphalia, in 1648, which, he asserts "did but transfer the conflict between Protestantism and Catholicity from the battle-field to the class-room." . . . Fr. C. Cronin, of the English College in Rome, writing on "The Dispositive Causality of the Sacraments," argues that the sacraments have as their immediate effect "grace, not in its actual bestowal, but in an antecedent disposition, which is a right and title to grace, which right is recognized and grace conferred, provided that there is no impediment." . . . Abbé Hogan, S.S., discussing "Church Building," treats of the use of moulding, the place of ornament on pillars and pediments, symmetry in decorative work, etc. . . . In the Conference section mention is made of a recent condemnation by the Holy See of an object called a cross of the Immaculate Conception. We are told that "under the plea that the Virgin Mother of Christ had a share in the passion of her Divine Son, and that her immunity from the stain of original sin is the anticipated fruit of the Cross of Christ, it combines the image of the Blessed Virgin with that of the Cross, and puts the figure of the Immaculate Mother where the body of the dying Saviour is properly placed." . . . In response to a question it is stated that a priest who celebrates two Masses on Sunday, accepting a stipend for one, may apply the other to the members of a Clergy Fund, which calls for a certain number of Masses from each member, on the grounds that the obligation rests primarily on a motive of mutual charity.

F. J. C.

THE REJECTION OF PAGANISM

The Roman Emperors, once they had adopted Christianity as the official religion of the Empire, were not content simply to show favor to the Church[1] and to repress those who fell into heresy.[2] They did more than transfer their support from the pagan rites which had previously constituted the official religion of the Empire and thus allow them to wither away. Actively they repressed their former favorite religion, moving against it much as they had previously moved against Christianity when they were endeavoring to unite all minds in worship of their deified selves as a means of securing their loyalty. Deviation they would not tolerate. If their policy was to support paganism, Christianity was to be repressed by every means at their command. If their policy was to support Christianity, paganism was similarly to be repressed.

Constantine was still too close to paganism, perhaps, to give it up in all its aspects at once. At any rate, he directed that if any portion of his palace or of the public works should be consumed by lightning the fortune-tellers were to determine what was signified thereby. Their conclusions were to be carefully reported to him. Others, too, were permitted to consult fortune-tellers, but they were to abstain from domestic sacrifices, which were specially forbidden.[3]

More strict was Constantius who ordered, in 341, that superstition[4] was to cease. The sacrifices were to be abolished. If anyone, contrary to the law of his father and his own, had dared to perform pagan sacrifices, proper punishment was to be visited upon him.[5]

While the Emperors were determined to root out every kind of superstition, they, nevertheless, wanted the temple buildings which stood outside the city walls of Rome kept in repair. Some of these had been connected with games or circuses, or contests of various kinds and the Emperors did not want them destroyed, lest the Roman people be deprived of their former pleasures. They, therefore, instructed the Prefect of the City to keep them in repair as places for the recreation of the public.[6]

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[1] Cf. *Theodosius' Church Laws, AER,* CXXII, 6 (June, 1950).

[2] Cf. *Theodosius' Laws on Heretics, AER,* CXXIII, 2 (Aug. 1950).

[3] Cf. C. Th. 16.10.1 (Dec. 17, 320/321). This title is: *De paganis, sacrificiis et templis.*

[4] In the sense of something which is not in accord with the officially accepted ritual. Thus, Christianity was "superstition" when the official form of worship was paganism. Similarly, after the Reformation in England bequests for Masses were not permitted, as being for "a superstitious use," i.e. one not officially permitted (cf. Stat. 43 Eliz. c. 4).

[5] Cf. C. Th. 16.10.2.

A few years later the temples were ordered closed in all places and in all the cities. Access thereto was forbidden to all. Everyone was to abstain from offering sacrifices. If anyone violated the law he was to be beheaded. His property was to be confiscated and turned over to the imperial treasury. The governors of the provinces were to suffer a similar fate if they neglected to punish those crimes.[7]

Shortly after this the Prefect of the City of Rome was informed that the nocturnal sacrifices which had been allowed by Magnentius were forbidden.[8] The decree concerning capital punishment for those who were proved to have participated in the forbidden sacrifices or to have worshipped the idols was repeated in 356.[9]

The consultation of fortune-tellers, originally permitted, was forbidden in 381. The Emperors then decreed that if anyone joined in the forbidden sacrifices, by day or by night, to learn that which was uncertain, or procured for himself, for this purpose, a shrine or a temple, or attended one, he was to be punished by confiscation of his property.[10]

The buildings, however, which had long been dedicated to assemblies and had become the common property of the people were to be kept open, so long as the statues therein were reported to be rather works of art than deities. Such temples, however, were not to be used, on this pretext, for sacrifices.[11]

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[6] Cf. C. Th. 16.10.3 (Nov. 1, 346 [342]).

[7] Cf. C. Th. 16.10.4 (Dec. 1, 346 [354?]). Since the persecutions of the Christians depended to a considerable extent upon the attitude of the governor to whom was entrusted the enforcement of the laws of repression, we may wonder whether a similar measure had been used to make the governors more active in the repression of Christianity when it was in disfavor with the Emperors. This is a familiar part of the totalitarian pattern, to be ruthless with officials who do not appear ruthless enough with the people.

[8] Cf. C. Th. 16.10.5 (Nov. 23, 353).

[9] Cf. C. Th. 16.10.6 (Feb. 19, 356).

[10] Cf. C. Th. 16.10.7 (Dec. 21, 381).

Fortune-telling, apparently, was not easily rooted out, for in 385 the Emperors issued another order saying that no one was to make bold to offer sacrifice in order to seek the hope of an empty promise or to foretell the future by the inspection of the liver and the omen of the entrails of the animal sacrificed. A very harsh penalty was to be inflicted upon those who, contrary to the prohibition of the law, tried to find out about the present or the future.[12]

If members of the upper classes had been able to do as they pleased about the worship of idols in the past, they found the situation changed toward the end of the fourth century. At that time the Emperors began to mention them specifically in their decrees. Thus, Gratian, Valentinian, and Theodosius ordered that no one was to defile himself with sacrifices, no one was to slay an innocent victim, no one was to go to the shrines, to visit the temples and to revere the idols made by men, lest he become liable to sanctions both divine and human. The judges were threatened that if they entered a temple, whether in the city or out in the country, to adore there, they would have to pay fifteen pounds gold, and their officials the same, if they did not resist the judge publicly. Men of consular rank were fined six pounds gold and their offices the same. The governors and presiding officers were fined four pounds and their officials the same.[13]

Later that same year the Emperors repeated the order that no one was permitted to offer sacrifice, no one was to go to visit the temples, no one was to seek out the shrines. If anyone attempted to do anything with regard to the gods and the pagan religion contrary to the prohibitions of the law, he was not to be shown any mercy. A judge who relied on his privileges and power to enter such places was to be fined fifteen pounds gold and his office the same amount.[14]

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[11] Cf. C. Th. 16.10.8 (Nov. 30, 382). In the Osdroene, at least, the temples were coming to be considered museums of art, rather than places of worship, even as they have been considered by irreligious governments of a later day.

[12] Cf. C. Th. 16.10.9 (May 25, 385).

[13] Cf. C. Th. 16.10.10 (Feb. 24, 391).

[14] Cf. C. Th. 16.10.11 (June 16, 391).

The next year the order was repeated. No one at all, no matter of what rank he might be or what power and honors he might have, whether he was of the upper or of the lower classes, was permitted, in any place whatsoever, in any city whatsoever, to slay an innocent victim in honor of idols which had no feelings. He was, further, not to worship his *lares* with a flame, his guardian spirits with wine, his *penates* with incense. He was not to light lights, burn incense, or hang up garlands in their honor.[15]

A further indication of the things done by the pagans at this time, and of the purpose for which they did them, is to be found in the decree of Arcadius and Honorius, issued in 395. They said that if anyone dared to immolate a sacrificial animal or to consult the smoking entrails he was to be punished as one guilty of *lèse majesté*. Anyone could accuse him[16] and he was to receive the sentence for *lèse majesté*, even though he had done, and had sought to do, nothing contrary to the actual welfare of the sovereign. It was sufficient for this crime, said the Emperors, that he had tried to undo the laws of nature itself, to scrutinize things which were illicit, to lay open that which was hidden, to attempt that which was forbidden, to seek the destruction of another's health, to promise himself the hope of the death of another.[17]

If anyone venerated man-made idols by burning incense or by branches decorated with ribbons or by an altar built of turf, or tried to honor vain images, he was to be deprived of the house or property where he had practiced this superstitious worship. Those places in which it was proved that incense had been burned were to be confiscated and turned over to the imperial treasury.[18]

If the man attempted to offer sacrifice of any sort in temples or in public sanctuaries or in the house or fields of another he was to be fined twenty-five pounds gold, if the places were usurped while the owner was in ignorance of that fact. One who connived in the sacrifice on his property was to be punished in the same way as the one who actually offered it.[19]

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[15] Cf. C. Th. 16.10.12 (Nov. 8, 392).

[16] This is the *actio popularis*, which can be brought by a common informer, when the thing done is quasi-delictual, delictual, or criminal.

[17] Cf. C. Th. 16.10.12.1. The last two clauses seem to relate to practices commonly associated today with the word "voodoo."

[18] Cf. C. Th. 16.10.12.2.

[19] Cf. C. Th. 16.10.12.3.

This law was to be enforced by the judges and the *defensores* and the curial officials of each of the cities. The latter were straightway to bring to trial those who were caught and the former were to punish their crimes. If they thought they could hide the guilty persons by their favor, or by lack of attention pass over their actions, they were to be brought to trial themselves. If they tried to put off the punishment, after having been warned, they were to be fined thirty pounds gold and their offices were to be fined the same amount.[20]

Pressure upon the imperial officials, to secure observance of the decrees was increased. If the provincial governors did not enforce the law with complete attention and care they were to pay, not only the fine which was established for them for such neglect, but also the penalty established for those who were the authors of the crimes.[21] Their officials who neglected the established laws were liable to capital punishment.[22]

With all the repression of paganism during the fourth century and with all the harsh penalties threatened against those who continued to observe that form of worship, the Emperors seem not to have thought of taking away the privileges of the religious leaders of paganism until the end of that period. Arcadius and Honorius, in 396, abolished completely the privileges which had been granted in the earlier laws to the priests, ministers, prefects, and religious leaders of paganism.[23]

The solicitude of the Emperors to preserve buildings which, in addition to being temples, served some further public purpose, e.g. public recreation, appears in orders issued for Spain and Africa in 399. Sacrifices, said the Emperors, were forbidden, but they wanted the ornaments of public works preserved. No one was to attempt to tear them down. If there were any rescripts or laws circulating, which purported to allow this, they were to be taken up and referred to the Emperors. Those who set such papers in motion were to be fined two pounds gold.[24]

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[20] Cf. C. Th. 16.10.12.4.

[21] Cf. C. Th. 16.10.13.1 (Aug. 7, 395).

[22] Cf. C. Th. 16.10.13.2.

[23] Cf. C. Th. 16.10.14 (Dec. 7, 396).

[24] Cf. C. Th. 16.10.15 (Jan. 29, 399). These papers seem to have been circulating in Spain.

Temples which were out in the country districts were to be destroyed, without attracting a crowd and creating a disturbance. This was intended, according to the Emperors, to remove the opportunity for superstitious worship.[25]

Although pagan rites were abolished by law, the Emperors did not intend to do away with festive gatherings of the citizens. Consequently, if there was no sacrifice and no superstition, they decreed, according to ancient custom, that there should be festive banquets given for the people when the public desired them.[26]

Buildings which did not contain anything illicit, the Emperors repeated, were not to be destroyed. The buildings were to be kept intact, but if anyone was caught offering sacrifice he was to be punished, according to the laws. The idols were to be brought into court and the case was to be heard, to establish that they had been actually used in the worship of the "vain superstition."[27]

After the turn of the century the Emperors found another way to weaken the pagan religion which still, apparently, showed some signs of vigor. The subsidies of the temples were taken away and were turned over to the support of the army.[28] The idols, if any, which still stood in the temples and shrines, and which received the worship of the pagans, were to be taken out of their buildings.[29] The buildings themselves which were in the cities or towns, or outside of towns, were to be taken over for public purposes. The altars were everywhere to be destroyed and all the temples were to be turned over to uses for which they were adapted, if they stood on imperial property, or destroyed, if in private hands, by their owners.[30] It was forbidden to hold banquets or to have any ceremonies in connection with pagan rites in places defiled with blood. Bishops were authorized to use ecclesiastical power to forbid these things. Judges were punished by a fine of twenty pounds gold, and in like manner their offices, if they overlooked and neglected to restrain such activities.[31]

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[25] Cf. C. Th. 16.10.16 (July 10, 399).

[26] Cf. C. Th. 16.10.17 (Aug. 20, 399). This was primarily directed to Africa.

[27] Cf. C. Th. 16.10.18 (Aug. 20, 399). This was also directed to Africa.

[28] Cf. C. Th. 16.10.19 (Nov. 15, 408 [407]).

[29] Cf. C. Th. 16.10.19.1.

[30] Cf. C. Th. 16.10.19.2. This has been done by later governments when their policies toward the Church changed.

The pagan priests were ordered to leave Carthage by the first of November, 415, and to return to their native cities. All such priests throughout Africa were ordered to do the same, under threat of punishment.[32] All places which had previously been dedicated to pagan worship were to be confiscated and turned over to the imperial properties. All income which they had received since the time when public expenditures for "superstitious worship" were forbidden were to be demanded from those who kept the temples. Whatever had been assigned by imperial munificence to particular persons was to remain their property. This decree was to be carried out not only in Africa, but also throughout the Empire.[33]

The income which had been turned over to the Church, the Christian religion was to keep for itself. All the monies which had belonged to the pagan superstition, which had been condemned, and all the places which the pagan priests held, to provide for banquets or expenses, were to go to the imperial household.[34] That which had once been consecrated to sacrifices and had thus deceived men was to be turned from its previous uses so that it would not be a scandal to those who might err.[35] The leaders who were said to be usurping the distributions to the people were to be removed. One who voluntarily joined them or allowed himself to be deputed for such functions was not to escape capital punishment.[36]

A further blow to paganism was struck in 416 when the Emperors decreed that those who worshipped as pagans were not to be admitted to the militia nor to have the honor of administrator or judge.[37] They thus closed to pagans the possibility of obtaining advancement in the Government service.

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[31] Cf. C. Th. 16.10.19.3.

[32] Cf. C. Th. 16.10.20 (Aug. 30, 415).

[33] Cf. C. Th. 16.10.20.1. When paganism was in favor it was supported, even financially, by the Government. When it fell into disfavor, that support was denied. Something similar has happened to the Christian Church, at times, in various countries. The provision as to the revenues, formerly for religious purposes, assigned to private persons, recalls what happened in the time of Henry VIII, as does that regarding the revenues to go to the imperial household.

[34] Cf. C. Th. 16.10.20.2.

[35] Cf. C. Th. 16.10.20.3.

[36] Cf. C. Th. 16.10.20.4. This is one way, of course, of detaching the people from religious leaders, by preventing them from distributing alms, as has happened under modern totalitarian governments.

By 423 the Emperors relaxed the order imposing capital punishment upon those who attempted to worship as pagans and assured them of protection, so long as they lived quietly. The laws previously promulgated against the pagans were still in force,[38] but if any pagan was caught sacrificing to the demons, he was no longer subjected to capital punishment, but was punished with confiscation of his property and with exile.[39] A similar punishment was visited upon the Manicheans and Pepyzites and others who disagreed about the date for celebrating Easter.[40]

The Christians were warned specifically not to lay hands upon Jews or pagans who were living quietly nor to attempt any disturbance contrary to law, abusing the authority of religion. If they did anything violent against these persons, or took away their property, they were not only to restore that which they had taken, but also to make restitution three- and four-fold. The governors of provinces and their officers, if they allowed such things, were to be punished just as those who actually did them.[41]

Finally, in 435, Emperors Theodosius and Valentinian ordered the destruction of all pagan temples which remained. The Cross, the sign of the Christian religion, was ordered placed upon the spots formerly sacred to the pagans, to expiate their offenses. Anyone who mocked at this law was to be put to death.[42]

Thus, by punishing those who worshipped as pagans in their persons, in their property, and in their hopes for civil advancement, by destroying the pagan clergy and taking over their revenues, by destroying or converting to public uses the pagan temples, by pressure upon public officials to make them enforce the imperial decrees, the Emperors, in typically totalitarian manner, crushed out the religion which for centuries had been sustained by the government with grants of privilege and with public revenues. Similar measures had been taken, for a longer time, against the Christian Church but it had not been overcome by the imperial power for it was founded upon a rock, Peter, even as Christ had said.[43]

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[37] Cf. C. Th. 16.10.21 (Dec. 7, 416). Other governments have used "test oaths" in depriving of civil careers members of churches which were in disfavor.

[38] Cf. C. Th. 16.10.22 (April 9, 423).

[39] Cf. C. Th. 16.10.23 (June 8, 423).

[40] Cf. C. Th. 16.10.24 (June 8, 423).

[41] Cf. C. Th. 16.10.24.1. Satisfied, apparently, that the power of paganism, as a religion, was broken, the Emperors were more concerned with preventing civic disturbances.

[42] Cf. C. Th. 16.10.25 (Nov. 14, 435).

The decline of paganism was hastened still more by the severe laws against those who, having been Christians, apostatized and returned to paganism. These laws, like those against heretics, show how far the Emperors could and would go to maintain uniformity of religious adherence in their lands.[44]

Those who apostatized and returned to paganism were deprived of the power and right to make a will. Any will of such a person, offered after he had died, was to be rescinded.[45] They were not permitted to make a will in favor of any person whatsoever. They were deprived of the rights of Roman citizens in this regard.[46] Whether they had been baptized or had merely entered the catechumenate, they could leave their property only to their children or to their brothers, i.e. to those who constituted their legitimate succession. They could not make a will in favor of any other persons.[47]

Likewise, when there was question of their taking property under a will, they could not take from anyone more than they would take by intestate succession. They could, therefore, neither make a will nor take under a will.[48] The same penalty, privation of the right to make a will, was inflicted upon those who gave up the Christian religion to join the Jewish. Those who joined the Manicheans were subjected to the penalties imposed by Valentinian. Those who induced these people to change their religion were punished by the same penalties and by even more serious ones.[49]

Since, as the laws forbidding these people to make wills stood, it was possible that decisions as to the rightful ownership of the property might be long delayed, the Emperors provided that any charge that the deceased had deserted the Christian religion and had joined the pagans or the Jews had to be brought and sustained within a period of five years after his death. It had to be proved by his public testimony during life that the deceased had made such a change[50]

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[43] Cf. *Matt.* 16:18.

[44] Their example has been imitated again and again in the course of history.

[45] Cf. C. Th. 16.7.1 (May 2, 381). This title is: *De apostatis.*

[46] Cf. C. Th. 16.7.2 (May 2, 383).

[47] Cf. C. Th. 16.7.2.1. The family thus became interested in whether or not any of its members had apostatized.

[48] Cf. C. Th. 16.7.2.2.

[49] Cf. C. Th. 16.7.3 (May 21, 383).

Valentinian, Theodosius, and Arcadius repeated the prohibition of their predecessors. One who had apostatized could not give testimony, could not make a will, could not succeed anyone as heir, and could not be named as heir by anyone. They were to be segregated from the companionship of all. The Emperors would have ordered such persons to be exiled far away, but they felt that the punishment would be greater if they were left to live among men and be deprived of the assistance of men.[51]

These renegades were never to be allowed to be restored to their former condition, and their crime was not to be wiped out by any penance or by any shadow of clever defense or protection, because they who had defiled the faith which they had promised to God and had betrayed the divine mystery could not defend that which was mendacious. Assistance would be given to those who had fallen or had wandered, but there could be no assistance of penance, such as was allowed for other crimes, for those who were lost, i.e. for those who profaned holy Baptism.[52]

If anyone of the upper classes abandoned Christianity he was to lose his dignity and, cast down from his place and status, he was to be branded with perpetual *infamia*,[53] and was not to be enumerated even at the end of the ignoble rabble.[54]

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[50] Cf. C. Th. 16.7.3.1. *Breviarium Alaricianum*. 16.2.1, notes: *Haec lex interpretatione non indiget.*

[51] Cf. C. Th. 16.7.4 (May 11, 391).

[52] Cf. C. Th. 16.7.4.1. This reflects, in very harsh manner, the attitude of some in the early Church about apostasy as one of the three "unforgivable" crimes. The Church, however, even prior to this time had worked out a way for the reconciliation of the *lapsi* (cf. St. Cyprian, *De lapsis*, *CSEL* 3:237; *MPL* 4:465).

[53] This meant that he suffered a diminuition of his legal capacity. He could not appear in court, except for himself or for certain close relatives, he could not start an *actio popularis*. *Infamia* ordinarily arose from: (1) condemnation as a criminal; (2) condemnation in cases involving partners, guardianship, agency, bailment; (3) practice of theatrical or gladiatorial arts and of base employments; (4) marriage, on the part of a widow, before her year of mourning had elapsed, and certain other causes.

[54] Cf. C. Th. 16.7.5 (May 11, 391).

Arcadius and Honorius repeated the provision that apostates were not allowed to make a will in favor of others. They were to be succeeded by the members of their families, i.e. father and mother, brother and sister, son and daughter, grandson and granddaughter, nor could it go farther.[55]

Theodosius and Valentinian set no time limit upon the bringing of charges of apostasy.[56] They repeated the prohibition against apostates making a will or a gift of any kind. They could not even get around the prohibition by making the transfer of their property in the form of a sale. Everything was to go by intestate succession to their relatives who were Christians.[57] Even after the person had died those who sought to take by intestate succession could raise this point. It did not matter that they were unable to show that the person had been challenged during his life.[58] If the apostasy was proved, even after the person had died, his gifts and will were rescinded so that those persons would inherit the property who were the legal heirs.[59]

Interesting, in the light of what has been done by other Governments when, at other times and in other places, they have followed the example of the Roman Emperors in repressing apostates as well as heretics, is the decree that in matters of religion the bishops were to be brought into the case. Arcadius and Honorius said that whenever there was a question of religion involved in a case the bishops were to be brought in. Other cases were to be heard according to the laws by the ordinary *cognitores*.[60]

The one and true Catholic faith of the Omnipotent God was to be retained.[61] That which had been ordained in the past concerning the Catholic law by the previous Emperors or by themselves, said Honorius and Theodosius, was to be kept whole and inviolate. The new superstition was to be removed.[62]

In their endeavor to protect their official religion the Emperors also got into the rebaptism controversy. Thus Valentinian and Valens directed a rescript to Julian, the Proconsul for Africa, saying that if any bishop, by illicit usurpation, repeated holy baptism and contaminated that grace by repeating it contrary to the rules of all, he was to be considered unworthy of the priesthood.[63]

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[55] Cf. C. Th. 16.7.6 (March 23, 396).

[56] Cf. C. Th. 16.7.7 (April 7, 426).

[57] Cf. C. Th. 16.7.7.1.

[58] Cf. C. Th. 16.7.7.2.

[59] Cf. C. Th. 16.7.7.3.

[60] Cf. C. Th. 16.11.1 (Aug. 20, 399). This title is: *De religione.*

[61] Cf. C. Th. 16.11.2 (March 5, 405).

[62] Cf. C. Th. 16.11.3 (Oct. 14, 410).

Valens, Gratian and Valentinian wrote to Florian, the Vicar for Asia, condemning the error of those who, trampling upon the commands of the Apostles, repeated baptism. Florian was directed to remove them from the churches which they held and to give those churches back to the Catholics.[64]

Since some of those people, after they had been expelled from the churches, continued in their ways in secret, gathering in the great houses or on country estates contrary to the laws, Florian was ordered to take steps against them. The places where they gathered were to be confiscated and turned over to the imperial treasury, if they had offered a hiding place for the followers of this perverse doctrine. If the people still adhered to their erroneous doctrines they were to be restricted to a private practice of their beliefs in the secrecy of their own homes.[65]

The year 405 was one of considerable activity by Emperors Arcadius, Honorius, and Theodosius against those who rebaptized. In an Edict they stated that they would not allow the errors of those who rebaptized.[66] Writing to Hadrian, the Pretorian Prefect, they stated that they intended to root out by their present decree the adversaries of the Catholic faith. They were especially opposed to the Donatists, who rebaptized, and who in order to avoid the laws against heretics preferred to be called a "schism." The Emperors noted that the Donatists rebaptized their slaves and freemen as well. As a punishment, the Emperors decreed that thereafter if a person were caught rebaptizing he was to be brought before the judge of the province and his property was to be confiscated. If, however, the children of such a person broke with their parent and returned to the Catholic religion they were to be permitted to take his property.[67]

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[63] Cf. C. Th. 16.6.1 (Feb. 20, 373). This title is: *Ne sanctum baptisma iteretur.*

[64] Cf. C. Th. 16.6.2 (Oct. 17, 377).

[65] Cf. C. Th. 16.6.2.1.

[66] Cf. C. Th. 16.6.3 (Feb. 12, 405).

Places or lands which offered a hiding place for such sacrilegious rebaptism were to be confiscated and turned over to the imperial treasury, if the owner was present at the rebaptism or allowed it to take place. Such owners were, further, branded by sentence with the note of *infamia.* If, without their knowledge, the rebaptism took place through the connivance of the lessee or procurator of the property, the lands were not to be confiscated, but those who were the instigators of the illicit actions were to be scourged and exiled.[68]

If people attempted to keep secret their activities in this regard, confining them to their own homes, the Emperors sought to turn their very slaves against them to betray them. They promised that any slave who was forced to rebaptize could fly to the Catholic church and be protected by it against such a crime. The slave was to be set free.[69]

Those who rebaptized, or consented to it, and belonged to such a society, were further punished by being forbidden to make a will or to take anything as a gift or to make contracts.[70] Those who connived at these forbidden gatherings and their services were subjected to the same penalties. The governors of the provinces who were guilty of such connivance were fined twenty pounds gold and their offices were fined the same amount. The leaders or *defensores* of cities who failed to execute the imperial decree or allowed violence to be done in their presence to the Catholic church were subjected to the same fine.[71]

Donatists or Montanists, who rebaptized, were to be brought.

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[67] Cf. C. Th. 16.6.4 (Feb. 12, 405). This system of turning the children against the parents in order to secure the observance of a law which must have been hard to execute has been used in later times as well. It was also used earlier when the pagan Emperors were trying to root out Christianity. Cf. *Matt.* 10:36.

[68] Cf. C. Th. 16.6.4.1.

[69] Cf. C. Th. 16.6.4.2. Administration of such a law would, obviously, call for the utmost sagacity, for it offered a great temptation to any slave who resented his condition—and who would not?—to denounce his master as guilty of rebaptism, with its attendant penalties, to gain his own freedom.

[70] Cf. C. Th. 16.6.4.3.

[71] Cf. C. Th. 16.6.4.4.

on discovery of this action of theirs contrary to the dogmas of the Catholic religion, to the judge who presided in the province. Punished by confiscation of all their property, they were to suffer the penalty of complete poverty.[72]

Honorius and Theodosius extended the punishment, in cases of rebaptism, to the one who was rebaptized. They repeated the prohibition against rebaptism of those who had been initiated according to the orthodox rite. Though they trusted, as they said, that, in view of the most severe penalties which had been threatened, no one was rebaptizing, still they wished to renew the provisions of those laws. If anyone was discovered to have rebaptized after the promulgation of the law, he was to be punished, together with the one who was rebaptized, provided this latter person was old enough to be punished as a criminal.[73]

In this same decree they provided for punishment of those who did not agree on the day for the celebration of the Resurrection. Although princes in the past had dissembled with regard to the Novatians and had allowed the Protopaschites who, according to the Emperors, were the worst of the Novatians, to go unpunished, they were now to be punished, too. If the Novatians proposed that Easter should be celebrated on some other day than that on which the orthodox bishops celebrated it the leaders of this group were to be deported and their property confiscated.[74]

Those who rebaptized together with those whom they had rebaptized, provided the latter were of an age to answer for crime, were mentioned a few days later in a decree of the same Emperors which was directed primarily against the Eunomians, forbidding their assemblies, under penalty of confiscation of property. Those who were involved in the rebaptism were, with the proviso mentioned, to receive the punishment established for that action.[75]

Another religious group to which the Emperors directed their attention was that of the Jews. Constantine decreed that if they attacked one of their number who had become a Christian with stones or any other form of violence they were to be burned to death.[76] If anyone joined their group he was to be punished together with them.[77]

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[72] Cf. C. Th. 16.6.5 (Feb. 12, 405).

[73] Cf. C. Th. 16.6.6 (March 21, 413).

[74] Cf. C. Th. 16.6.6.1.

[75] Cf. C. Th. 16.6.7 (March 29, 413).

The leaders of the group were exempt from civil services, which amounted to a sort of tax upon those who had to perform them.[78] Even if they did have to serve, a certain amount of exemption was to be allowed them.[79] The religious leaders were excused from the labor-service, which was imposed as a form of tax upon certain citizens of the Empire in that period.[80]

The prohibition against disturbance of a Jew who had been converted to Christianity was repeated in 335.[81] Jews were likewise forbidden to marry Christian women, under penalty of capital punishment.[82] Any Christian who was converted to the Jewish religion was punished by confiscation of his property, which was turned over to the imperial treasury.[83]

They were, however, permitted to decide for themselves who should belong to their own group.[84] The Emperors further warned their representatives in the East that they were not to forbid the Jews to hold services, for their religion was not forbidden by any law. Those officials were likewise to see to it that no one attempted to destroy their synagogues.[85] No one was to set prices for them,[86] nor was anyone to slander or libel them.[87]

The Jews were to observe their own form of worship and their privileges were confirmed to them. Their religious leaders were to enjoy the privileges enjoyed by the leaders of the Christian religion. They were exempt from performing civic duties and were to be guided by their own laws.[88]

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[76] Cf. C. Th. 16.8.1 (Oct. 18, 318). This title is: *De Iudaeis, Caelicolis et Samaritanis.*

[77] Cf. C. Th. 16.8.1.1.

[78] Cf. C. Th. 16.8.2 (Nov. 29, 330).

[79] Cf. C. Th. 16.8.3 (Dec. 11, 321).

[80] Cf. C. Th. 16.8.4 (Dec. 1, 331).

[81] Cf. C. Th. 16.8.5 (Oct. 22, 335). The *Breviarium Alaricianum*, 16.3.1, notes: *Haec lex interpretatione non eget.*

[82] Cf. C. Th. 16.8.6 (Aug. 13, 339).

[83] Cf. C. Th. 16.8.7 (July 3, 357 [352]). The *Breviarium*, 16.3.2, notes again: *Ista lex interpretatione non eget.*

[84] Cf. C. Th. 16.8.8 (April 17, 392).

[85] Cf. C. Th. 16.8.9 (Sept. 29, 393).

[86] Cf. C. Th. 16.8.10 (Feb. 27, 396).

[87] Cf. C. Th. 16.8.11 (April 24, 396) and C. Th. 16.8.12 (June 17, 397).

The Emperors did, however, attempt to interfere with the system whereby collectors were sent around to the various synagogues to receive their contributions. Those sums were, said the Emperors, to be turned over to their imperial treasury. Those who attempted to make the collections were to be punished.[89] This law was changed five years later.[90]

The privileges of the Jewish leaders were renewed in 404,[91] but Jews were excluded from military and Government service.[92] A law of 408 forbade the Jews to burn a cross in contempt of the Christian faith on the occasion of the feast of Purim, under threat of loss of what had been permitted to them, i.e. their privileges.[93]

The Emperors struck, in 409, at a group known as *Caelicolae* and ordered them to be converted, within a year, to Christianity or be subjected to the penalties for heresy. They also struck at those who were converted from Christianity to the Jewish religion. If anyone forced them so to be converted he, together with those who were co-conspirators with him, was to be punished. Anyone who violated that law was considered guilty of *lèse majesté*.[94]

No one was, however, to dare to attack or to occupy and hold as his own a synagogue belonging to the Jews.[95] Furthermore, no one was to use the excuse of business, public or private, to force the Jews not to observe their sabbath.[96]

No one was to be imposed upon as a Jew, when he was innocent, or exposed to contumely. The synagogues and homes of the Jews were not to be burned or harmed in other ways. On the other hand, the Jews were not to do anything irreverent toward Christian worship.[97]

[88] Cf. C. Th. 16.8.13 (July 1, 397).

[89] Cf. C. Th. 16.8.14 (April 11, 399).

[90] Cf. C. Th. 16.8.17 (July 25, 404).

[91] Cf. C. Th. 16.8.15 (Feb. 3, 404).

[92] Cf. C. Th. 16.8.16 (April 22, 404). The *Scholia Vaticana* here have: *Samaritanos Iudaeos magistrianos iubet non esse.*

[93] Cf. C. Th. 16.8.18 (May 29, 408).

[94] Cf. C. Th. 16.8.19 (April 1, 409).

[95] Cf. C. Th. 16.8.20 (July 6, 412).

[96] Cf. C. Th. 16.8.20.1.

[97] Cf. C. Th. 16.8.21 (Aug. 6, 412 [418?]).

When Gamaliel fell from favor and was deprived of his honorary prefecture, he was forbidden to establish any more synagogues. Those which he had established, if they were where they could be torn down without a disturbance, were to be torn down. He was to have no power to decide cases between Christians. Any case between a Christian and a Jew was to be decided by the governor of the province. If he had attempted to make a Christian of any sect, whether freeman or slave, a Jew, he was to be punished. If he had any Christian slaves they were to be turned over to the Church.[98]

Finding that some had passed from the Jewish religion to Christianity for reasons other than devotion to the new faith, the Emperors directed the judges in the provinces to allow them to return to their former religion.[99]

Jews were excluded from Government service and from the army. They could undertake liberal studies and be advocates and perform functions in the various *curiae*, but they could not serve in the army.[100]

Synagogues were not to be taken away from the Jews or burned down. If any had been taken away, places were to be allocated where others could be built.[101] If the endowments of these synagogues had been taken away they were to be restored, or, if they could not be, an equal sum was to be paid to the synagogue.[102] No new synagogues were to be built, but the old ones were to be kept as they were.[103] The Jews themselves were assured that no one was permitted to injure or persecute them, but they were warned that if they circumcised or caused to be circumcised a Christian, they would be punished by confiscation of their property and exile.[104]

If a son or daughter or grandchild of a Jew or a Samaritan passed from the Jewish to the Christian religion it was not permitted that their parents or grandparents disinherit them or pass them over in silence in their wills or leave them less than they would receive by intestate succession. If that was done, the will was to be rescinded and they were to take by intestate succession. If, however, the child was clearly proved to have committed a serious crime against the father or mother or the grandparents, they could leave such a child only the Falcidian fourth, while the law would take care of the crime committed.[105]

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[98] Cf. C. Th. 16.8.22 (Oct. 20, 415).
[99] Cf. C. Th. 16.8.23 (Sept. 24, 416).
[100] Cf. C. Th. 16.8.24 (March 10, 418).
[101] Cf. C. Th. 16.8.25 (Feb. 15, 423).
[102] Cf. C. Th. 16.8.25.1.
[103] Cf. C. Th. 16.8.25.2 and C. Th. 16.8.27 (June 8, 423).
[104] Cf. C. Th. 16.8.26 (April 9, 423).

Again in 429 the Emperors moved to get their hands on the money which was contributed yearly by the synagogues and to have it turned over to their own treasury.[106]

Jews were also forbidden to circumcise their Christian slaves.[107] Later they were forbidden to purchase a Christian slave, and if they did he or she became property of the imperial treasury. If they circumcised a slave whom they had bought they were punished even by capital punishment. If they dealt in Christian slaves, those whom they possessed were to be taken away from them.[108]

These rigid prohibitions were relaxed, in later times, on condition that the Christian slaves be permitted to keep their religion.[109] The relaxation, however, was short-lived and the prohibition on purchase of a Christian slave, and even on obtaining one by gift, was renewed. If the prohibition was not observed, title to the slave was lost. If the slave of his own free will revealed what had happened he was rewarded with liberty. Those slaves which the Jew already possessed he could keep, as well as those whom he might inherit or receive in trust, provided he did not make them members of his sect. Violation of this order carried with it capital punishment and confiscation of property.[110]

The Roman Emperors, then, clearly did not believe in separation of Church and State. After centuries during which they had been considered heads of religious as well as of civil affairs they did become Christians and did make Christianity the official religion of their Empire, but they still exercised a great deal of influence in religious matters, and were quite willing to legislate with regard to the Church, churchmen, heretics, apostates, rebaptism, religion, pagans, and Jews. At times they even appear to have taken over matters which could very well have been left to the Church, and should have been, to most men's way of thinking. Support Christianity they did, but at times it is a bit difficult to tell whether the support came from below, from the side, or from above. Frequently it looks as if the Emperors thought of themselves, not as inferiors, nor even as equals, but as superiors who had a right to dictate to the Church, as if it were not constituted as an independent society, but merely as an adjunct to the State to function for the latter in matters of the spirit.

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[105] Cf. C. Th. 16.8.28 (April 8, 426).

[106] Cf. C. Th. 16.8.29 (May 30, 429).

[107] Cf. C. Th. 16.9.1 (Oct. 21, 335). This title is: *Ne Christianum mancipium Iudaeus habeat.* The *interpretatio* in the *Breviarium Alaricianum,* 16.4.1, is: *Si quis Iudaeorum servum Christianum vel cuiuslibet alterius sectae emerit et circumciderit, a Iudaei ipsius potestate sublatus in libertate permaneat.*

[108] Cf. C. Th. 16.9.2. (Aug. 13, 339).

[109] Cf. C. Th. 16.9.3 (Nov. 6, 415).

[110] Cf. C. Th. 16.9.4 (April 10, 417) and C. Th. 16.9.5 (April 9, 423).

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THE GREATNESS OF NEWMAN

Newman's greatness lies in the complexity of his character and in the variety of his deeds as well as in their magnitude. As a non-Catholic he played a leading role in the Oxford movement. As a Catholic he equalled and surpassed his previous successes, both as a religious leader and as a preacher of the Word. He extended his mastery over the English language and put English prose to new and most beautiful uses; he gave the world one of its great autobiographical documents; he produced a book unique in modern philosophy; he wrote one of the most original of English poems. He established the Oratory of St. Philip Neri in England; he advanced education by founding the Oratory School and by his work in Ireland; he performed the very greatest services to the English people in the cause of toleration and good will; he gave intellectual, moral, and social representation to the English Catholic group, and by so doing he raised the prestige of Catholics throughout the English-speaking world, and elsewhere too.

—John K. Ryan, in the Introduction to *American Essays for the Newman Centennial* (Washington, D. C.: The Catholic University of America Press, 1947), p. xii.

OUR LADY QUEEN OF PROPHETS

One of the tasks to which modern theology must devote itself is that of ascertaining and explaining the full meaning of the various titles of Our Lady employed in the Litany of Loreto. This Litany is one of the most popular prayers used by the faithful of the Catholic Church. In this petition, the disciples of Jesus Christ beg the intercession of Mary for the various graces they need. They address themselves to the Mother of God by employing some of her most glorious titles and prerogatives. Yet there is astonishingly little serious theological investigation into the actual meaning of these expressions.

Some few of them are explained directly in various documents of the Church's solemn dogmatic teaching. Thus, to take only three examples, the designation *Sancta Dei Genetrix* is obviously a title which the Church, at the oecumenical Council of Ephesus, proclaimed as rightly belonging to Our Lady. The *Regina sine labe originali concepta* and the *Regina in caelum assumpta* are expressions of those truths about the Blessed Mother which the Church set forth as dogmas of the faith in the *Ineffabilis Deus* of Pope Pius IX and most recently in the present Holy Father's *Munificentissimus Deus.* The meanings expressed in these two titles are precisely those set forth and defined in the two infallible papal pronouncements.

There are, however, other formulae for which no such direct and authoritative explanations have been issued. Most prominent in this latter class are certain of the queenly titles of Our Lady. The Litany addresses Our Lady as the Queen of Prophets, the Queen of Apostles, and the Queen of Martyrs. Obviously these titles imply a recognition of the fact that Mary surpassed the great prophets of the Old Law by the perfection of her own prophetic gifts; that she surpasses the members of the apostolic *collegium* in the force of her effective will for the propagation and the preservation of Christ's teaching; that she suffered, in offering up the life of her divine Son, more than the Christian martyrs suffered in offering up their own lives in testimony for the faith of Jesus Christ. The question remains, however: is this all that these titles are intended to convey? Do they limit themselves to an affirmation of a merely metaphorical queenship on the part of Mary with regard to those individuals whom we designate as the prophets, the apostles, and the martyrs?

One of the best of our contemporary Mariologists, the famed Servite theologian Gabriel Roschini, seems to concede that the titles in question have no more than a merely metaphorical connotation. In his *Mariologia* he offers a magnificent defence and explanation of Our Lady's queenship *sensu proprio seu ratione dominationis.*[1] He likewise holds that she "can be called Queen in a figurative or metaphorical sense, in so far as she possesses a primacy and excellence above all others."[2] And, in setting out to establish this latter point, he appeals to some of the queenly titles incorporated into the Litany of Loreto.

> Therefore the Blessed Virgin is rightly and justly called by the Church in the Litany of Loreto the Queen of the Angels, by reason of her supereminent understanding; the Queen of the Patriarchs, by reason of her supereminent piety; the Queen of Prophets, by reason of her supereminent gift of prophecy; the Queen of Martyrs, by reason of her supereminent courage; the Queen of Confessors, by reason of a supereminent confession of the faith; the Queen of Virgins, by reason of her supereminent purity; the Queen of All Saints, by reason of her supereminent holiness or because of her unique plenitude of grace and glory.[3]

Now Fr. Roschini is perfectly correct in stating that Our Lady deserves the titles to which he refers for the reasons which he gives in this passage. At the same time, however, it seems quite unlikely that these are the only reasons that justify the forms of address to which he refers. There appears to be ample evidence to show that Mary's queenship, at least with reference to certain classes of Saints, is a queenship in the strict sense and not something merely metaphorical in character. In his contribution to the French encyclopedia *Maria*, the famous Jesuit scriptural scholar Fr. Bover brought out what theology has to say about Mary's genuinely royal function in relation to the New Israel, the kingdom of God of the New Testament. His teaching on that point has real value in explaining the true and basic meaning of the title "Queen of Patriarchs."[4] And, for several others among these venerable Marian titles, there are likewise theological truths which show that the designations have more than a merely metaphorical meaning when they speak of Our Lady's queenship with reference to different classes of Saints. In this paper we shall consider briefly some of the evidence in this direction as it is applied to the title "Queen of Prophets."

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[1] *Mariologia*, Tomus II, *Summa Mariologiae*, Pars I, *De singulari missione B. Mariae Virginis*, 2nd edition (Rome: Belardetti, 1947), p. 425.

[2] *Ibid.*, p. 424.

[3] *Ibid.*, pp. 424 f.

The Church has, of course, never issued anything like a strict definition of the meaning it attaches to the title "Queen of Martyrs." At the same time, however, there is definite indication in the *Enchiridion indulgentiarum* of one sense in which it does apply this designation to Our Blessed Mother. It is to be found in the prayer to the Blessed Virgin Mary Queen of Prophets, which is, incidentally, the only formula of prayer to Our Lady printed in English in the *Enchiridion.*

This petition is one of the most heavily indulgenced formulae in the *Enchiridion.* It carries an indulgence of 500 days, in virtue of an Apostolic Brief of Pope Leo XIII, issued on Jan. 24, 1901, and renewed and confirmed by a statement of the Sacred Apostolic Paenitentiaria on Oct. 13, 1933. The text of this prayer is tremendously important as an indication of what the Church itself considers to be the true meaning of the title *Regina Prophetarum.*

> To thee, o Queen of Prophets, o Vision of the Prophets, Mother of God, and of His people, we have recourse in our necessities, confident that as thou art thyself the fulfilment of prophecy, thou wilt fulfil thine own, and amongst all generations wilt bring *N.* to call thee blessed. Say to the wanderers for whom we plead, and especially to *N.*, "Thy light is come." One word from thee to thy Son, and the glory of the Lord will arise upon them and the eyes of the blind be opened, so that they, beholding the star, will follow it to the House of Bread; where finding thy Son with thee, they shall eat of the True Bread, and live forever, obtaining joy and gladness while sorrow and mourning shall flee away. O thou who art "prayerfully omnipotent," at whose

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[4] Cf. Bover's article, "Marie, l'église et le nouvel Israel," in the symposium *Maria. Études sur la Sainte Vierge*, sous la direction d'Hubert du Manoir, S.J. (Paris: Beauchesne, 1949), I, 659-74; also Fenton, "Regina Patriarcharum," in *The American Ecclesiastical Review*, CXXII, 2 (Feb. 1950), 146-49.

petition thy Son worked His first miracle, beseech Him to say "I, the Lord, will suddenly do this thing in its time," and grant those for whom we pray, to draw water with joy out of the Saviour's fountains. May we all unite with thee, our Mother, in singing thy "Magnificat" to Him, thy Son our Lord Jesus Christ, Who with the Father and the Holy Ghost, liveth and reigneth one God, world without end. Amen.

Hail, Mary.[5]

On the very face of it, this prayer shows that the Church regards Our Lady as the Queen of the Prophets for a reason other than the supereminence of her prophetic gifts. She is addressed in this petition as the "Vision of the Prophets, Mother of God and of His people." In other words, the Church sees in this title the recognition of the fact that the work of the Prophets was in a very real way directed towards Mary, and that this work constituted a definite service to her in her capacity as the Mother of God and the Mother of God's kingdom, the Mystical Body of Jesus Christ. The Prophets were chosen servants of Jesus Christ Our Lord. As such, they were servants of Mary. Consequently the title "Queen of Prophets" indicates a real dominative function on the part of Mary with reference to the work and the commission of the prophets.

The truth of this assertion becomes very much clearer when we consider the highly interesting background of the prayer to Our Lady Queen of Prophets in the *Enchiridion indulgentiarum*. This petition is part of the authorized devotion to Our Lady as she is depicted in what may very well be the oldest artistic representation of her now extant, the famed image of the *Regina Prophetarum* in the Catacombs of Priscilla on the Via Salaria, a short distance outside the gates of Rome. The Via Salaria is one of the principal highways leading to the north out of the Eternal City.

In the oldest part of the Catacombs of Priscilla, in what Kirsch calls "a gallery widened to form a chamber in the ancient quarry, on a corner of a vault,"[6] some Christian artist of the second century painted a picture of Our Lady, holding the child Jesus in her arms. In front of her there is depicted a toga-clad man, who points with his right hand towards a star above Mary's head, and holds a book or scroll in his left hand. The picture has been marred by the dampness of the place. The surface of the plaster on which it is painted has worn away towards the lower part of the picture. On nearby surfaces pictures painted on a different plane suggest that this little scene is somewhat older than even these other representations.

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[5] *Enchiridion indulgentiarum* (Typis Polyglottis Vaticanis, 1950), n. 415, pp. 300 f.

[6] *The Catacombs of Rome* (Rome: Società "Amici delle catacombe," 1946), p. 78.

This is the picture which Christian piety, with the approval of ecclesiastical authority, has designated as Our Lady Queen of Prophets. The famed Italian Jesuit archeologist, Fr. Bonavenia, who had long worked to have this picture the center of public veneration, succeeded in having special devotions to Mary Queen of Prophets, as she is shown in this painting in the Catacombs of Priscilla, inaugurated in the English Convent Chapel near the Piazza di Spagna in Rome in 1895.[7] A special feast in honor of Our Lady as designated by this title was conceded by Pope Leo in 1896. Fr. Bonavenia noted that Cardinals Parocchi and Mazzella advocated the granting of this favor.

Fr. Bonavenia intended to accomplish two purposes by instituting this devotion in the English Convent at Rome. He wanted, first of all, to promote devotion to Our Lady by reason of those characteristics of her office which are represented in the painting in the Catacombs of Priscilla. Then he desired to work for the cause Pope Leo XIII had made his own in the apostolic letter *Amantissima voluntatis*, the work of bringing the people of England back to the true faith.[8]

Both of these purposes are manifest in the prayer to Our Lady Queen of Prophets in the *Enchiridion indulgentiarum*. "Those for whom we pray" are obviously the non-Catholic people of England. The object sought in the prayer is their union with God, to be obtained through their reconciliation with the successor of St. Peter. The agency by which this end is to be brought about is divine grace, to be gained through the intercession of Mary, Queen of Prophets. The "light" and the "star" of which the prayer in the *Enchiridion* speaks are those represented in the Madonna of the Priscillian catacombs. The Queen of Prophets is the Woman foretold in the prophecy of the Old Testament, the Woman associated with the Redeemer as the Queen within His kingdom, the Woman whom the Prophet of the Priscillian Madonna indicated and served as his Queen.

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[7] Cf. *Our Lady Queen of Prophets or Devotion to the Priscillian Madonna*, preface by Father G. Bonavenia, S.J. (Rome: English Convent, 1906), pp. vii, 45. For the opportunity to consult this work the author is indebted to the Very Rev. John Mix, General of the Congregation of the Resurrection.

[8] An English translation of this document is to be found in *The Great Encyclical Letters of Pope Leo XIII* (New York: Benziger Brothers, 1903), pp. 336-49. A "Prayer for England," on which the prayer to Our Lady Queen of Prophets is based, is to be found at the end of this letter.

The title "Queen of Prophets," then, according to these indications of the Church's own teaching, means that Our Lady's queenship with reference to these heralds of Christ is a queenship in the strict and proper sense of the term. In her *Magnificat* Mary gave the first prophecy of the kingdom under the new dispensation. Thereby she earned the title of Queen of Prophets in the metaphorical sense. She is, however, the Mother of God envisioned in the prophetic message itself. The work of prophecy was, in the final analysis, a preparation and an instruction for the coming of her Son, with whom she was and is intimately associated. The end of prophecy is to be found in union with God and in her Son, in a union of grace of which she is the dispenser. Thus the prophets, as a group, were men who worked for Mary as their Queen. And the fruits of prophecy are graces and blessings that come through her intercession.

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SHAKESPEARE LOOKS AT WASHINGTON, D. C.

Amongst the soldiers this is muttered,
That here you maintain several factions,
And whilst a field should be dispatch'd and fought,
You are disputing of your generals:
One would have lingering wars with little cost;
Another would fly swift, but wanteth wings;
A third thinks, without expense at all,
By guileful fair words peace may be obtain'd.

—*The First Part of King Henry VI*, Act I, Scene I.

Answers to Questions

GOSPEL FOR SECOND SUNDAY OF LENT

Question: I was struck by the fact that we had the same gospel on Ember Saturday and the following day, the Second Sunday of Lent. Was this just a coincidence, a mistake or some special reason?

Answer: Certainly there is no mistake. In Guéranger's *Liturgical Year* we read that in the early Church, the Mass, during which the ordinations were held, was celebrated during the night and so by the time Mass was over Sunday had begun. Later on, the ordination Mass was celebrated on Saturday morning as is customary at the present time. However, in memory of the ancient practice the Gospel designated for Saturday is repeated again on Sunday. The same custom is noted on Ember Saturday of Advent.

ASSISTANT PRIEST

Question: For added solemnity alone, is it permissible for me to have an assistant priest at our Solemn High Mass on Christmas and Easter?

Answer: It is not lawful for any priest to have an assistant priest when celebrating Mass, except bishops and other prelates who have the privilege of using pontificals and especially for the sake of honor and solemnity. In the case of a newly ordained priest the practice of having an assistant priest is still permitted on the ground that he is not present for the sake of solemnity or honor but his presence is a necessity to watch over the new priest. Thus, we see there is no justification of an assistant priest for our inquirer's Christmas and Easter Solemn High Mass.

CARE OF RELICS

Question: I am anxious to have your answer concerning several problems about relics. Is it permissible for a priest or layman to keep in his room or office an authenticated relic of the first class? May a relic of any class which has no accompanying authenticated document be used either for private or public veneration? Is it permissible for a chaplain of a hosiptal to bless with a relic of the first class a sick person or group of persons in a room?

Answer: We must distinguish between major and minor relics. The Code of Canon Law describes as a major relic, the entire body of a saint, the head, arm, heart, etc. These are not permitted to be kept in private homes or oratories without the express permission of the Ordinary of the place. Minor relics may be kept by private individuals, priest or layman, provided they be given proper respect and reverence. A piece of bone, a thighbone, etc. are classified as minor relics.

We read in Canon Law (Canons 1283-86) that the public veneration of relics is not permitted in any church whatsoever, unless there is a document to attest to their authenticity. If for some reason or other the document authenticating the relics is lost or disappears, the public veneration of such relics should cease until the local Ordinary is notified and his wishes can be carried out.

Relics are exposed for public veneration and not to be used for the blessing of people.

PRECES AT LAUDS

Question: I am attending school in a diocese other than the one for which I have been ordained. In the *preces* at Lauds, whose name is inserted in the prayer, *Oremus et pro Antistite nostro,* that of the Ordinary of the place or my own Ordinary?

Answer: Commentaries of the Breviary as well as rubricians direct us to insert in this versicle the "nomen diocesani Episcopi" and not the "nomen proprii Episcopi."

NOMEN FOR CONFIRMATION

Question: I have been assistant to the Bishop at a number of Confirmations and have been puzzled about the proper case of the Confirmation name. Is it nominative or vocative case?

Answer: In the form for Confirmation as well as for Baptism the vocative case and not the nominative is used.

BENEDICTION PROBLEMS

Question: Is it permitted to remove the cross which is on the top of the tabernacle in order to place the Blessed Sacrament there during Benediction? Should there be a throne for the Blessed Sacrament during Benediction?

Answer: The Sacred Congregation of Rites (No. 3576; 3) has specifically forbidden that in the case of flat-topped tabernacles the crucifix should be removed in order to make room for the monstrance.

Fr. Collins outlines very clearly for us the regulations concerning the necessity of the throne for Benediction of the Blessed Sacrament. He informs us that according to the Clementine Instruction a throne is required for Forty Hours' Devotion and for every exposition of the Blessed Sacrament that lasts at least a few hours. However, when there is a canopy over the entire altar an exposition throne is not necessary. This does not rule out the exposition throne; if the custom of a throne prevails, this usage may continue. The throne is not required for simple Benediction of the Blessed Sacrament, even though a few prayers or a hymn are sung during the exposition (*Church Edifice and Its Appointments*).

PALM SUNDAY

Question: When a priest binates on Palm Sunday, is it necessary for him to read the Passion at both Masses?

Answer: When a priest has the obligation and the right to offer two Masses on Palm Sunday, he may obtain permission from the Ordinary to omit the reading of the Passion at one of the Masses. If the permission is granted he may choose to do this at either the first or second Mass, according to his own wishes. In the Mass that he suppresses the Passion, the last part, *Altera autem die*, becomes the gospel of the Mass and as usual he says the *Munda cor meum* before it. He prefaces it with *Dominus vobiscum*, plus *Sequentia sancti Evangelii*, etc.

BROAD STOLE

Question: We have Solemn High Mass every Sunday at our church. During Advent and Lent we do not wear the broad stole. Is this omission permissible?

Answer: All the rubricians direct that folded chasubles be worn by the deacon and subdeacon during Advent and Lent at Solemn High Masses. They direct that the broad stole be worn by the deacon from the gospel until the communion of the Mass. However, they do provide for small churches where the absence of folded chasubles is noted. In this event, the subdeacon wears only amice, alb, cincture, and maniple, while the deacon, in addition to the vestments just enumerated, wears the stole. In such a case he does not wear the broad stole and neither officer of the Mass makes any change of vestments during the Mass.

ORATIO SUPER POPULUM

Question: I have observed various practices during Solemn High Mass in Lent. What is the correct procedure for the singing of the *Humiliate capita vestra Deo?*

Answer: It is incorrect for the celebrant to sing *Humiliate capita,* etc. The celebrant sings *Oremus* and the deacon turns to the people to sing *Humiliate capita,* etc. Immediately after that, the celebrant facing the altar sings the oration that follows.

Walter J. Schmitz, S.S.

HYPNOTISM IN DENTISTRY

Question: What is to be said of the practice, recently introduced by some dentists, of using hypnotism as a means of rendering the patients insensible to pain for the extraction of teeth, in preference to such standard anaesthetics as novocaine and gas?

Answer: To accept hypnotism for general usage as an anaesthetic in dentistry would seem to be contrary to Catholic moral principles. For hypnotism is to be considered as a means that should be limited only to cases in which the ordinary means of anaesthesia, such as gas and novocaine (in dental operations) cannot be used effectively; and such cases are exceptional. Hypnotism is likely to produce harmful psychiatric results, especially if a person is subjected to it a considerable number of times. Davis says: "In regard to the morality of hypnotism, it is certain that continued subjection to it is morally wrong, because it is harmful to the mental faculties. . . . One may submit to hypnotic treatment for a grave reason, if suitable precautions against its abuse are taken, and if there is no superstition or scandal. The suitable precautions are that a trustworthy witness should be present during the treatment, and that the hypnotizer should be both skilled and morally unexceptionable" (*Moral and Pastoral Theology* [London, 1946], II, 18 f.). Noldin asserts that the use of hypnotism is *per se* illicit, and *per accidens* can become licit only when certain conditions are fulfilled, including the fact that no other more suitable means of producing the desired result is available (*Summa theologiae moralis* [Innsbruck, 1938], II, n. 749). It should be added that the use of hypnotism could have a bad effect on some of those who employ it, in that the consciousness of their power to dominate others might be a temptation to abuse this power. Hence, Catholic dentists should be admonished to abstain from the use of hypnotism as a general practice. In special cases, particularly when there is reason to fear that the use of a drug might be harmful to a patient, hypnotism could be used with the proper precautions.

MEAT ON FRIDAY

Question: A Catholic has ordered a meat sandwich in a restaurant, and has just begun to eat it, when he realizes that the day is a Friday. What should he do? If he continues to eat the sandwich, he may be guilty of scandal; if he leaves the greater portion of it uneaten, he may be accused of wasting food in a time of scarcity. Moreover, if he is a person of limited means, he may find it a hardship to order another meal of abstinence fare.

Answer: In the first place, it is well to remember that the average sandwich does not contain enough meat to constitute grave matter, according to a reliable theological view. In the words of Davis: "Authors generally think that two complete ounces of meat, not less than that, is a grave amount" (*Moral and Pastoral*

Theology [London, 1946], II, 437). A slight reason would excuse one from even venial sin in eating this small amount, and such a reason would easily be present in the case described by the questioner. Moreover, even if the quantity of meat is two ounces or more, the fact that at the present time there is a meat shortage, so that the wasting of any is reprehensible, would seem to justify the eating of a meal which has been ordered and cannot be sent back. This is especially true in the case of a person of meagre financial resources. The main difficulty, therefore, is not from the standpoint of the ecclesiastical law of abstinence, but rather from the standpoint of the scandal which is likely to be occasioned. If there is even a good probability that this might be the result of the eating of meat by one known to be a Catholic, he should abstain from it, even though the quantity is small. As is very evident, scandal is very likely to be given by a priest who would publicly eat meat on a Friday. When a lay Catholic eats in a restaurant and the other patrons are not acquainted with him and not concerned with what he orders, the danger of scandal is usually sufficiently remote to be disregarded.

MASS FOR AN EXCOMMUNICATED PERSON.

Question 1: May a priest issue a spiritual bouquet Mass card in suffrage for a person who died under the ban of excommunication, and to whom Christian burial was refused?

Question 2: May an offering taken up in a general collection among the faithful be accepted from an excommunicated person for a High Mass to be offered according to the intentions of the donors —for example, for the Mass of All Souls or on the occasion of Mother's Day?

Answer 1: According to Canon 2262, a priest may not offer Mass publicly for a person who has been excommunicated. To issue a spiritual bouquet Mass card announcing the celebration of the Holy Sacrifice for a deceased person who has been refused Christian burial would seem to constitute a public announcement of the Mass if the one who receives it will use it in such a manner that a considerable number of persons will find out about it—for example, if it is placed on a tray at the wake. However, if the recipient will give sufficient assurance that the announcement will be made known to a small number who will not publicize it, such as the immediate family of the deceased, it would seem that the law of the Church would not be violated.

Answer 2: The mere fact that an excommunicated person takes up the collection and transmits it to the priest would not mean that the priest could not accept it and celebrate the High Mass. Even if the excommunicated person is included in a large group for whom the Mass is to be offered, it would seem that he would be sufficiently obscure and anonymous to justify the priest in regarding the Holy Sacrifice as being offered privately for this individual. However, as the Canon quoted above indicates, the danger of scandal would call for a stricter application of this law in certain instances.

Francis J. Connell, C.SS.R.

Man's Ultimate End

The ultimate end of man lies outside this life. The Church, the Kingdom of God, which is concerned with this ultimate end, is the most important of all societies; and right order demands that although the state is not subordinate to the Church, the end of the state must be always and completely subordinate to the end of the Church. Temporal peace and prosperity is always and completely secondary to the attainment of the Beatific Vision. From these facts an exceedingly important consequence follows. The social life of man can be judged good only when it is organized in accordance with these truths, that is to say, when all human societies of whatever description, all societies great and small, all societies from the Ladies' Wednesday Afternoon Sewing Circle to the United Nations and the Church itself co-operate harmoniously to produce a general condition of social life in which each individual may most easily work out his salvation and attain his supreme end. This is the criterion by which all societies and all societal phenomena must be evaluated. Whatever hinders man in his quest for heaven is a social evil; whatever aids him is a social good.

—Paul Hanly Furfey, "The Integration of the Social Sciences," in *Integration in Catholic Colleges and Universities,* edited by Roy J. Deferrari (Washington, D. C.: The Catholic University of America Press, 1950), pp. 222 f.

Book Reviews

THE CATHOLIC UNIVERSITY OF AMERICA, 1903-1909: THE RECTORSHIP OF DENIS O'CONNELL. By Colman J. Barry, O.S.B. Washington, D. C.: The Catholic University of America Press, 1950. Pp. 298. $3.50.

Few institutes of higher learning ever faced more difficult problems than The Catholic University during the first two decades of its existence. The ever-present need of money, the clash of personalities, the rivalry between the various nationalistic groups, and even the charge of doctrinal error time and again threatened the university with extinction. The credit for its survival and much of its present-day influence is due to many individuals. Not the least among them is Denis O'Connell, who guided its destinies from 1903 to 1909.

The author of the present study, Fr. Colman Barry, O.S.B., is primarily concerned with O'Connell's rectorship at Washington. Therefore he treats his previous career very briefly, and summarizes his episcopal labors at San Francisco and Richmond in a few sentences. In 1885, when he was thirty-six years old, O'Connell became the rector of his alma mater, the North American College in Rome. Circumstances also made him the unofficial representative of the American hierarchy at the Vatican. Unfortunately at this time the bishops of the United States were divided on many matters of ecclesiastical policy. O'Connell openly sided with the so-called liberal group of Gibbons, Ireland, and Keane. Their opponents brought complaints against him to the Holy See, and in 1895 he was forced to resign as rector of the North American College. But Cardinal Gibbons, his life-long friend, did not abandon him during the eight years of obscurity that followed. When affairs at The Catholic University went from bad to worse during Conaty's administration, Cardinal Gibbons was influential enough to have O'Connell appointed as Conaty's successor in 1903.

The need of funds had been a nightmare for Keane and Conaty, and had seriously hindered the development of the university. In his very first year O'Connell persuaded the authorities at Rome to permit an annual collection for the university in all the parishes of the United States. This income, which yearly amounted to about one hundred thousand dollars, gave greater economic security. It also awakened greater interest in the university among the people in the western part of our country, and won over the German-American Catholics, who had been justly offended at the brusque treatment of Dr. Schroeder during Conaty's regime. All these factors enabled the university to weather the severe financial storm that suddenly arose in 1904 as a result of the imprudent investments of Mr. Waggaman, the treasurer.

Under Keane and Conaty the Academic Senate had gradually acquired a great deal of influence in the affairs of the university. When O'Connell refused to be guided by these precedents a jurisdictional conflict broke out, and in 1905 many of the teaching-staff petitioned for his removal. The trustees appointed a fact-finding board to investigate these charges. The result was a vindication of the rector. To avoid any future disputes new rules were formulated and they "proved to be the beginning of orderly government and internal peace" (p. 157).

O'Connell's rectorship was important in other respects. In the beginning he wished to maintain the university as a place for graduate studies exclusively. But he soon realized the impracticality of this plan, and therefore gave his approval to the admission of undergraduate students. During these years, 1903-1909, as the author proves from statistics, the number of students and teachers grew to a marked degree and new chairs of studies were added. Under him also the university began to assume a commanding position in the educational life of Catholics throughout the United States, and his successors have reaped the fruit of his labors.

On December 12, 1907 the Holy See gave a mark of its favor to O'Connell by elevating him to the episcopate as auxiliary-bishop of Sebaste. This fact, together with the unanimous approval of the Board of Trustees, could have easily secured him another term at the university when his tenure of office was to expire in 1909. But O'Connell let it be known that he did not wish a reappointment, and his wishes were respected. He became auxiliary to his friend, Archbishop Riordan of San Francisco. Three years later he was transferred to the See of Richmond, where he died on January 1, 1927.

Fr. Barry is no hero-worshipper. He points out the limitations and mistakes of O'Connell as well as his undeniable administrative and diplomatic ability. With the exception of the Shahan Papers, to which he did not have access, he seems to have utilized every available document on the subject of his biography. He has added a very complete bibliography and a splendid index. The graduates of The Catholic University, as well as all those interested in the story of Catholic education in the United States, will undoubtedly draw much profit from this book.

Stephen McKenna, C.SS.R.

The Ideal of the Monastic Life Found in the Apostolic Age. By Dom Morin, O.S.B. Translated by C. Cunning, with a preface by Dom Bede Camm, O.S.B. Westminster, Md.: The Newman Press, 1950. Pp. 200. $2.50.

The "Newman Press" was always noted for publishing books with an appealing exterior and valuable content. On the basis of Benedictine books they put on the market in 1950, however, they may be compared to the head of the household in the biblical parable who gathers "nova et vetera," new and old treasures from his treasury. In addition to the comparatively recent work of the still living author, Dom Idesbald Van Houtryve, entitled "Benedictine Peace," they now present the reading public with Dom Germain Morin's well-known classic, "The Ideal of the Monastic Life Found in the Apostolic Age."

The name and personality of Dom Germain Morin need no introduction. In the ears of this century's world of knowledge his name rings clear. With his research in the history of Liturgy, by his identification of the authors of many patristic texts and especially through his commentarial edition of the works of Cesarius Arelatensis, he has established a lasting name for himself. In recognition of his worth, numberless European Universities, from Budapest to Oxford, awarded him honorary degrees. In this connection, Dom Bede Camm quite appropriately remarks that by this gesture these Universities did honor to themselves rather than to our author.

The present work throws much light on his character. Whoever reads the beautiful chapters on obedience, penance, prayer, discretion, joy, etc., gets an actual glimpse into the author's soul. In all truth, of him could be said what Pope Gregory the Great in his biography of St. Benedict said, when commenting on the Holy Rule, "he lived as he taught." Those who read this book through learn to know Dom Germain Morin's character and do not forget it, just as those who once saw him could never forget his humble, unpretentious form and the clear understanding that shown forth from his countenance. The greatness of his character is not in the least hindered by the disadvantage of having to live, for political reasons, the greater part of his life in exile from his country and his home monastery.

He was a native of Belgium and a monk of the Monastery of Maredsous. A forest of gentle pines surrounds this Monastery of grey granite, the beautiful and rich interior of which proclaims the good will of the Desclеé family, the distinguished publishers for the Holy See, and within the hallowed walls of which blossomed forth the sanctity and blessed work of the great Abbot Marmion. The inspiration for Dom Morin's book on the Monastic Life was gotten when his Abbot sent him as a young monk to the great English Abbey at Downside, to conduct a retreat. For Dom Morin, both the unexpected conducting of this retreat and the ensuing publication of its matter were the fruit of monastic obedience. But it also stands as a lasting and beautiful example of the tendency to revert to sources, "revertere ad fontes," and to draw strength from the daily liturgy. It happened to be Pentecost week then and G. Morin drew his subject matter from the Acts of The

Apostles, (II, 37-46) as the model and origin of the monastic life. He indeed always reverted to sources, so that his historical mind and the clear intelligence with which he delves to the very roots for complete and exhaustive pictures are convincingly reflected on every page of his book. He is as well acquainted with the life and development of the ancient Church and the works of the Fathers as he is with St. Benedict and the Holy Rule, the history and traditions of the Benedictine Order, and the teachings of all the great Benedictine Saints and Abbots from St. Gregory the Great to Dom Gueranger and Maurus Wolter. Thus he was able to produce something that would never grow old, because from old sources he always brings forth fresh and new life-giving strength. This he does in such a beautiful, simple, intimate and concise presentation, that the reading of the 1950 edition is just as pleasant as that of 1912, and, according to the testimony of Dom Bede Camm, the reader's heart glows with the same warmth and joy today as he reads of the origin, model and beauty of the monastic life as did the hearts of those who personally heard him give that first retreat.

Dom Morin's book is instructive reading not only for those favoring the Benedictine spirit or the monastic life, but gives soul-building strength to every man of this day and age. One cannot overemphasize the timeliness of this old work. Guilt-consciousness has almost completely vanished from the minds of today's children, but this work acquaints them with the uplifting and cleansing power of compunction and sorrow. The beautiful chapter written on obedience is a direct answer to today's lack of discipline. How good it is to read his serious lines on the beauty of poverty in this age of mad rushing after wealth. When our every-day life and the character resulting from it is so unnecessarily complicated and artificially involved, when even the very concept of discretion is so to speak on the wane and we all thirst alike after true happiness, how good it is to set out anew on the road towards heights of simplicity and pure happiness as pointed out to us by G. Morin. In his presentation, supernatural spiritual life becomes natural, liturgical prayer, cleansed of all abuse, acquires unheard of value, and the breaking of the bread, the Holy Sacrifice of the Mass, as well as the apostolic life resulting from it become the true center of life. G. Morin's work gives the eternal truths of the Gospel and the unperturbed, happy spirit of Benedictine peace and joy, as a cure for the meaningless and empty life of today. This accounts for this book's timeliness!

Both the translator and the publishers have done the children of this age a great service by placing in their hands this old but nevertheless beautiful and valuable book!

EGON JAVOR, O.S.B., S.T.D.

THE GEM OF CHRIST. By Father Francis, C.P. New York: Catholic Book Publishing Co., 1949. Pp. 223. $2.50.

The Gem of Christ is none other than St. Gemma Galgani, the Italian maiden, born at Camigliano, near Lucca, March 12, 1878, and baptized, the following day, with the names of Gemma, Maria, Humberta, Pia. She died in Lucca, on Holy Saturday, April 11, 1903, and was canonized by our Holy Father Pius XII on May 2, 1940.

St. Gemma entered the present century bearing the stigmata of the sacred Passion of our Lord Jesus Christ in her virginal body, ready to become a victim of love in order to stay the hand of God that, even then, was preparing a great chastisement for all the world: "Oh! that I could make all understand how incensed My Heavenly Father is by the impious world! There is nothing to stay His Hand, and He is now preparing a great chastisement for all the world." (Words of Our Lord to St. Gemma, p. 75.)

In more than one way St. Gemma belongs to the Passionists. This happy relationship began during her long illness when St. Gabriel of the Sorrowful Mother called her "My Sister," and became her heavenly guide. She later met Passionist missionaries and came under the experienced direction of Father Germano, C.P. whom she loved to call *babbo* (daddy). Father Germano himself was a truly mystical soul, as it appears from this biography. Gemma's most ardent desire was to become a Passionist Sister but her desire was never fulfilled during her lifetime. It was only after her death that her blessed remains came to rest under the loving care of Passionist Sisters in their new Convent church in Lucca. Father Francis, C.P. enters into the spirit of this relationship of his Order with St. Gemma when he undertakes the task of retelling her life story. He has given us not only an accurate factual report of the life of St. Gemma but he has added the light and the color of several historical anecdotes of local interest together with description of some of the most famous monuments of Gemma's home city. Because of the considerations and practical applications suggested by the author, every chapter of this book could be used as a meditation or a sermon on St. Gemma. We hope that this new biography of St. Gemma will make her better known to this generation so much in need of the example of her saintly life.

PASCAL P. PARENTE

LA SACRA BIBBIA. Volgata Latina e Traduzione Italiana dai Testi Originali Illustrate con Note Critiche e Commentate sotto la Direzione di Mons. Salvatore Garogalo; DANIELE. By P. Giovanni Rinaldi, C.S.R. Pp. 135. Lire 350; LE EPISTOLE CATTOLICHE DI GIACOMO, PIETRO, GIOVANNI, E GIUDA. By D. Pietro De Ambroggi. Pp. 288. Lire 650; Torino: Marietti, 1947.

These are two volumes of a new series of Catholic commentaries in Italian on all the books of the Old and New Testaments. Each page of the commentary reproduces the Vulgate; a version of the corresponding original text is on the opposite page. In addition, each volume of the commentary on the New Testament is accompanied by a separate fascicle containing the Greek text of the book or books treated in the volume. Each book of the Bible commented upon is prefaced by a comprehensive introduction. The commentary itself occupies the lower section of the page beneath the translation of the text. It is divided into two parts: the first deals briefly with the philological and textual problems; the second discusses the exegetical questions. Obviously, the design of this series is excellent: it offers the priest and the educated layman an ample opportunity to become scientifically acquainted with each book, without burdening him with too much erudition for which he may not have the time, equipment, or inclination. If further investigation is desired, it is provided by the well-selected bibliography prefixed to each commentary. That this series will maintain the high standard evidenced by the two volumes cited above is guaranteed by the scholarly reputation of its editor-in-chief and by the distinguished collaborators whom he has gathered about him.

The commentary on Daniel by Rinaldi discusses all the thorny problems connected with the book, manifesting a thorough acquaintance with the literature, sound judgment, and clarity of expression. The appendix contains a number of good illustrations: a map of ancient Babylon and eleven reproductions of archeological monuments bearing on the historical events and personages connected with the book.

The commentary on the Catholic Epistles of James, Peter, John, and Jude is no less satisfying. Every problem relating to introduction or exegesis is honestly met, impartially discussed, and intelligently solved as far as the present state of our knowledge permits. It is particularly gratifying to have a Catholic up-to-date exposition of these Epistles, which have not been treated extensively by recent Catholic commentators. This volume, likewise is furnished with appropriate illustrations: a map of the Mediterranean world in which the addressees of the Epistles resided as well as photographs and drawings illustrative of early Christian beliefs and customs.

MICHAEL J. GRUENTHANER, S.J.